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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

PLANNING COMMISSION

*Promoting the wise use of land
Helping build great communities*

MEETING DATE February 9, 2006	CONTACT/PHONE James Lopes Ph. 781-5975	APPLICANT Jesse Hill	FILE NO. TRACT 2724 SUB2003-00216
SUBJECT Proposal by Jesse Hill for a Vesting Tentative Tract Map (Tract 2724) to allow for the subdivision of a two-acre parcel into five parcels of approximately 1.1, 0.25, 0.25, 0.25 and 0.17 acres for the purpose of sale or development. The project implements Conditional Certificate of Compliance C2002-0355 for the proposed 1.1-acre parcel. The project is located on the north side of West Tefft Street, approximately 50 feet east of Gardenia Way, within the community of Nipomo, in the South County (inland) planning area.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Tract 2724 based on the findings listed in Exhibit A and the Conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 29, 2005 for this project. Mitigation measures are proposed to address air quality, noise, public services, transportation/circulation and water supply and are included as conditions of approval.			
LAND USE CATEGORY Office and Professional	COMBINING DESIGNATION None applicable	ASSESSOR PARCEL NUMBER 092-572-034 & 035	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Land Use Ordinance Sec. 22.112.020C.1 through 4, Circulation Planning; 22.112.080A.3, Plan Line for Tefft Street; 22.112.080E.3, Limitation on use; 22.112.080E.4, Residential uses			
LAND USE ORDINANCE STANDARDS: Section 22.22.090 – Land Divisions – Commercial and Office Categories			
EXISTING USES: Two single family dwellings			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/ Residences <i>East:</i> Office and Professional/Vacant <i>South:</i> Office and Professional/Vacant <i>West:</i> Residential Single Family/ Residences			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Council, Public Works, Environmental Health, County Parks, CDF, Nipomo Community Services District, APCD, Cal Trans	
TOPOGRAPHY: Gently sloping	VEGETATION: Non-native trees, landscaping, grasses
PROPOSED SERVICES: Water supply: Nipomo CSD Sewage Disposal: Nipomo CSD Fire Protection: CDF/County Fire Department	ACCEPTANCE DATE: October 15, 2004

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.090 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Office and Professional land use category. The standards are based on the type of wastewater disposal and water supply. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 6,000 square-foot parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Water Supply and Sewage Disposal	Community water and sewer systems	6,000 Sq. Ft.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of Title 21, the Real Property Division Ordinance.

Nonconforming uses

The site contains two houses, one of which is occupied, as non-conforming uses. Residential primary dwellings are not an allowable use in the Office and Professional land use category. Section 22.01.070A requires that the proposed parcels "satisfy all applicable requirements of this title" to approve the land division. Approval of the land division must eliminate the nonconformity in this case by conditions of approval that require their removal or change to an allowed use, although bonding may be obtained for a reasonable period to establish uses that replace or incorporate the residences.

PROJECT REVIEW

The proposed subdivision would create a 1.1-acre parcel on West Tefft Street, where an existing house is located. Four smaller parcels of approximately 7,500, 10,000, 10,200 and 10,800 square feet would be created at the rear of the fronting parcel. The purpose of the division is to create lots for sale and development of office and incidental residential (mixed use) projects at a small scale. A conceptual layout plan was provided by the applicant to demonstrate the feasibility of two or three-story buildings with diagonal parking aisles. It appears reasonably feasible to accomplish at least some of the foreseen development, with the access drive partly serving as a parking aisle. The applicant may want to explore the use of an underground drainage basin beneath parking to better accomplish the conceptual plan in the future. An owners association is recommended in the Conditions to facilitate the continued operation of the drainage basin, and to provide some coordination on other site maintenance, project design and development. The following issues concern the proposed design:

1. Access would be by an access easement along an existing driveway through the rear parcels to a "hammerhead" turn-around on Lot 4. A shallow, unfenced drainage basin would occupy the front part of Lot 5 and portion of Lot 2, requiring the removal of an 18-inch diameter Coast live oak tree.
Staff response: The access easement should be slightly modified to provide for shared access to the adjacent property to the east, which is APN 092-572-032, to enable potential future connection between land uses. The access point would be at the east corner of Lots 2 and 3. The drainage basin should be designed to avoid grading under the dripline of the oak as much as feasible, and where not feasible, grading should be avoided within at least 10 feet of the trunk and be as shallow as possible.
2. Grading would be minor except that a 3.5-foot retaining wall would extend up from the entire back of Lot 1, to create building pads on Lots 2 and 5. The easement drive would entail surface grading along an existing driveway; however, it would be under the dripline and against a 12-inch diameter Coast live oak tree.
Staff response: Minor articulation of the proposed retaining wall should be made to provide interest, and its color should blend with the native soil. The access drive should be designed to circumvent as much of the dripline of the oak as feasible, and where not feasible, a curb and pavers should be used to separate traffic from the tree and provide percolation. These recommendations are included in the Conditions of Approval.
3. The proposed project is partly intended to implement Conditional Certificate of Compliance C02-0355, which established that the flag lot and the lot fronting West Tefft Street on the attached Assessor's Parcel Map were not legally created. This application proposes to create parcels according to the Subdivision Map Act and the County Real Property Division Ordinance, with an access easement to provide access to four rear parcels, rather than a flag-lot design.
Staff response: The applicant has recorded the Conditional Certificate, and its conditions that relate to this subdivision are incorporated into the Conditions of Approval in Exhibit B.
4. At the time of the Certificate review, it was thought by the Public Works Department that a street should be created to serve the site; however, with this application the department recommends that a driveway will be adequate for traffic needs, as proposed on the tentative map.

Staff response: Those conditions in the Conditional Certificate that require a fifty-foot offer of dedication and road improvements are superceded by the current recommendation in the Conditions in Exhibit B.

5. The proposed map includes a 20-foot wide offer of dedication along West Tefft Street, as required by area plan standard. Although no street or sidewalk improvements are proposed, the Public Works Department indicates that standard specifications include curb, gutter and sidewalk and a center median. A draft West Tefft Corridor Design Plan has been published that includes detailed guidance for such improvements, which would include a minimum five-foot landscaped parkway, eight-foot wide sidewalk and streetlights; however, it is in public review and has not been scheduled for a public hearing. The West Tefft Street Corridor Study (prepared for the Public Works Department) also recommends a landscaped median to lessen projected traffic impacts and reduce congestion. According to the study, the proposed center median in total would "eliminate significant congestion from the uncontrolled driveways" along West Tefft Street.

Staff response: Similar to other projects on West Tefft Street (Schiffar; Flatley), streetscape improvements including a separate sidewalk, parkway landscaping and street trees, and a center landscape median, should be constructed with tract improvements before final map recordation. Streetlight infrastructure should also be installed with tract improvements in anticipation of future light installations.

PLANNING AREA STANDARDS:

Section 22.112.020 C. Circulation planning.

1. **Public right-of-way dedications.** Applications for land divisions or Conditional Use Permits shall provide an offer of dedication for public streets, bikeways and pathways where necessary to mitigate the impacts of the project and to implement the Circulation Element and the County Trails Plan.

Staff Response: The applicant will be required to dedicate 20 feet of West Tefft Street right-of-way to meet the plan line of a 100-foot wide right-of-way.

3. **Traffic noise mitigation.** Noise-sensitive land uses that are proposed near collector, arterial streets and highways shall be reviewed for potential noise impacts and mitigated, if needed, in compliance with the Noise Element. Where feasible, possible mitigation measures shall be prioritized in the following order:

- a. Setbacks/open space separation;
- b. Site layout, orientation and shielding of noise sensitive uses with non-noise-sensitive uses;
- c. Construction of earthen berms;
- d. Structural measures: acoustical treatment of buildings, walls.

Staff Response: Circulation planning standards include a requirement that noise-sensitive land uses that are proposed near an arterial street such as West Tefft Street be reviewed for noise impacts. The standard requires priorities for mitigation measures where it is feasible to implement them. The proposed subdivision is the earliest opportunity to review noise impacts (no land uses are proposed), and the Negative Declaration addresses noise impacts with site layout, orientation, shielding and structural mitigation measures that will apply at the time of land use development. The first priority in the standard is to use setbacks and open space, but these are not considered feasible since the threshold of impact is exceeded on at least 90 percent of the site from West Tefft Street. Instead, other design measures are recommended.

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Section 22.112.080 A. Community-wide standards. The following standards apply to all land use categories within the Nipomo urban reserve line.

1. Connection to community sewers. New parcels within the Nipomo Urban Services Line shall be designed to provide for future connection to the community sewage system, except for the areas shown in Figure 112-56 - low density residential areas.
Staff Response: The project is proposed to be designed and improved with sewer lines to connect to the community sewer system.

Section 22.112.080 E. Office and Professional (OP). The following standards apply only to land in the Office and Professional land use category.

3. Limitation on use. All land uses identified by Section 22.06.030 as allowable, permitted, or conditional in the OP land use category may be authorized in compliance with the land use permit requirements of that Section, except: indoor amusements and recreation; public assembly and entertainment; elementary schools through colleges and universities; airfields and landing strips.
Staff Response: The proposed subdivision will enable complying land uses to be allowed through subsequent use permits.
4. Residential uses. Multi-family and single-family dwellings as incidental uses may be authorized by Minor Use Permit approval, subject to the standards and findings required by Section 22.30.490.
Staff Response: Residential uses will be enabled to be proposed on individual parcels as allowed by this standard.

ENVIRONMENTAL DETERMINATION: The environmental determination identifies that the project will create several significant impacts:

- It will exceed the significance threshold of the Air Pollution Control District for the formation of ozone after its subsequent development. Mitigation measures are proposed for this and other potentially significant impacts to reduce dust, asbestos and operational phase emissions to insignificance.
- Noise impacts are considered to be significant because almost the entire site is above the threshold of 60 decibels from West Tefft Street traffic. Two mitigation measures are proposed for an acoustical engineer to participate in the site and building design to certify that outside and indoor noise levels will be below 60 and 45 decibels respectively, for office and residential uses.
- Water supply in the Nipomo area is considered to be undergoing a significant cumulative impact to which development after this project will contribute. Water conservation mitigation measures are proposed to minimize impacts on this resource.
- Significant public services impacts are associated with the development of the site, for which mitigation measures are proposed to obtain impact fees. The developers statement at the conclusion of the Negative Declaration indicates the applicant's agreement with the proposed measures, which are included in the Conditions of Approval.
- Traffic from the project will add to cumulative traffic demands, which are projected to reach a Level of Service F in the South County Circulation Study, which is a potentially significant impact. No other published study exists with more recent information, although concern is high about increasing congestion on West Tefft Street due to the Highway 101 interchange. The subdivision will be subject to the

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South County Road Fee Program, which will collect a fee for the project's incremental contribution toward projected road improvements.

COMMUNITY ADVISORY GROUP COMMENTS: A response was not received to a referral sent on May 17, 2004.

AGENCY REVIEW:

Public Works – Memo September 27, 2004: Dedication offer of 20 feet along West Tefft Street and improvements for a center landscaped median, curb, gutter and sidewalk; access to West Tefft Street by single driveway - either easement or dedicated road.

Environmental Health – No comments.

County Parks – No comment.

CDF – Letter of May 31, 2005: Within a High Fire Hazard Severity Zone; minimum road width and slope requirements.

Nipomo Community Services District – Letter October 4, 2004: Water and sewer service to be provided for a 10-unit development

APCD – Letter November 25, 2005: Air quality impacts identified with mitigation measures

Cal Trans – No comments.

LEGAL LOT STATUS:

The two-acre lot was legally created by a recorded map at a time when that was a legal method of creating lots. A Conditional Certificate of Compliance has been recorded to establish the legality of Assessor's Parcel Numbers 092-572-034 and 035. This application provides the division of the parcel in accordance with the approved Conditional Certificate of Compliance.

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EXHIBIT A

FINDINGS FOR HILL VESTING TENTATIVE TRACT MAP 2724

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 29, 2005 for this project. Mitigation measures are proposed to address air quality, noise, public services, transportation/circulation and water supply and are included as Conditions of Approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Office and Professional land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and Conditions of Approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of office and mixed-use residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support allowed office and incidental residential uses.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is within an urban area and is located away from any known sensitive habitat or species.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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EXHIBIT B

CONDITIONS OF APPROVAL FOR HILL VESTING TENTATIVE TRACT MAP 2724

Approved Project

1. Proposal by Jesse Hill for a Vesting Tentative Tract Map to allow for the subdivision of a two-acre parcel into five parcels of approximately 1.1, 0.25, 0.25, 0.25 and 0.17 acres for the purpose of sale or development. The project implements Conditional Certificate of Compliance C2002-0355 for the proposed 1.1-acre parcel.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:
 - a. West Tefft Street widened to complete an A-2d section fronting the property, except that the required sidewalk width shall be 8 feet and the location shall be behind a 5-foot parkway. The sidewalk may be designed with texture and a meander consistent with the draft West Tefft Corridor Design Plan, in anticipation of future land use projects.
 - b. A landscaped center median across the property frontage in a configuration to conform with the A-2d section and the layout depicted in the West Tefft Street Corridor Study, with landscape materials in conformance with the list in condition no. 25. A landscape plan shall be submitted for review jointly by Public Works and Planning and Building Departments **prior to map recordation**.
 - c. Streetlight infrastructure to provide electrical conduits and pull boxes for anticipated streetlights.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. For road widening purposes, 20 feet along West Tefft Street, to be described as 50 feet from the recorded centerline.
 - b. A 20-foot radius property line return at the intersection of Java Lane and West Tefft Street.
4. Access be denied to all lots from West Tefft Street, except at the common driveway (Java Lane) intersection, and this shall be by certificate and designation on the map.
5. A private easement shall be reserved on the map for access to all lots and shared access to and from the adjacent lot, 2005 APN 092-572-032.
6. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
7. All driveways shall be constructed in accordance with County Standard Improvement Specification and Drawings. All driveways constructed on county roads require an encroachment permit

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Improvement Plans

8. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and two Coast live oak trees to be retained, associated with the required improvement for the land division, to be approved jointly with the Department of Planning and Building.
9. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
10. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all Conditions of Approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

11. Submit complete drainage calculations to the Department of Public Works for review and approval.
12. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards and these Conditions of Approval. The basin shall be designed to avoid grading under the dripline of an existing 18-inch diameter oak tree shown on plans if feasible, or to avoid grading within at least 10 feet of the tree trunk if not feasible to avoid grading further out from the trunk. The plan shall include directions for tree protection measures during and after construction.
13. If a drainage basin is required, the drainage basin along with rights of ingress and egress be offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

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Utilities

14. Electric and telephone lines shall be installed underground.
15. Cable T.V. conduits shall be installed in the street.
16. Gas lines shall be installed.

Design

17. The lots shall be numbered in sequence.
18. The single-family residences on lots 1 and 5 be removed or brought into conformance with the **Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required. Removal may be bonded for a period not to exceed five years after recordation for a later removal or conversion to a conforming use through a land use permit.

Vector Control and Solid Waste

19. **Prior to recordation of the final map**, a determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

20. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
21. Designate a fire lane within all the driveway areas. This lane to be a minimum width of twenty (20) feet.

Parks and Recreation (Quimby) Fees

22. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels that do not already have legal residential units on them.
23. If a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

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Easements

24. The property owner shall grant an access and shared access easement to the County of San Luis Obispo that will allow for the joint access of the Lot owners, and for the construction and connection of shared access with the adjacent east property, 2005 Assessors' Parcel Number 092-572-032. The access easement document shall be prepared, reviewed and approved by County Counsel **prior to filing of the final parcel or tract map.**

Landscape Plans

25. Submit detailed landscaping plans in compliance with Chapter 22.16 to the Department of Planning and Building for review and approval **prior to filing of the final parcel or tract map.** Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include landscaping for erosion control, site beautification, and plants requiring no irrigation after established underneath the dripline of existing Coast live oak trees. Landscaping plans shall address at a minimum:
- Drainage basin and adjacent area, if one is required.
 - Frontage of the site on West Tefft Street within the parkway and within five feet behind the sidewalk
 - The edge of the entry drive, within five feet of pavement.

Plants shall be from the following list:

SHRUBS

<u>Common Name</u>	<u>Botanical Name</u>	<u>Height (ft.)</u>	<u>Width (ft.)</u>
Autumn Sage	<i>Salvia greggii</i>	4	4
Bush Anemone	<i>Carpenteria californica</i>	4-8	5
California Fuchsia	<i>Epilobium californica</i>	1-2	6+
Ceanothus 'Blue Cushion'	<i>Ceanothus</i> 'Blue Cushion'	2-4	5
Ceanothus 'Snowball'	<i>Ceanothus rigidus</i> 'Snowball'	2-4	5
Conejo Buckwheat	<i>Eriogonum crocatum</i>	1	2
Greensphere Manzanita	<i>Arctostaphylos</i> 'Greensphere'	3	3
Island Bush Snapdragon	<i>Galvezia speciosa</i>	3	5
Photinia fraseri –			10–15
Pittosporum - different varieties			2-40
Red Monkeyflower	<i>Mimulus puniceus</i>	2-3	1-2
Rhaphiolepis indica – 'Ballerina'			2
Rhaphiolepis indica – 'India Hawthorne'			4-5
Sulphur Buckwheat	<i>Eriogonum umbellatum</i>	1-2	3-4
Wooly Blue Curls	<i>Trichostema lanatum</i>	2-4	4
Yellow Monkeyflower	<i>Mimulus aurantiaca</i>	2-3	1-2

TREES

<u>Common Name</u>	<u>Botanical Name</u>	<u>Height (ft.)</u>	<u>Width (ft.)</u>
Big Leaf Maple (D)	<i>Acer macrophyllum</i>	10-40	20+
Chinese Elm (D)(ST)	<i>Ulmus parvifolia</i>	50	60

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Chinese Pistache (D)(ST)	<i>Pistachia chinensis</i>	40	40
Coast Live Oak (E)	<i>Quercus agrifolia</i>	20-40	35+
Fernleaf Catalina Ironwood (E)(ST)	<i>Lyonothamnus floribundus</i>	20-35	15
	<i>ssp. asplenifolius</i>		
Fruitless Olive (E)	<i>Oleaceae</i>	30	30
	Male cultivars only		
Holly Oak (E)(ST)	<i>Quercus ilex</i>	30-60	40+
Japanese Crape Myrtle (D)	<i>Lagerstroemia fauriei</i>	20-30	25+
London Plane Tree (D)(ST)	<i>Platanus x acerifolia</i>	40-60	35+
	'Bloodgood' variety has some resistance to anthracnose.		
Purple-Leaf Flowering Plum (D)	<i>Prunus cerasifera</i> 'Atropurpurea'	25-35	
Tan Oak (E)	<i>Lithocarpus densiflora</i>	10-30	15+
Tipu Tree (D)(ST)	<i>Tipuana tipu</i>	50	35
Valley Oak (D)	<i>Quercus lobata</i>	15-40	35+
Western Redbud (D)	<i>Cercis occidentallis</i>	8-20	10+
(D) - Deciduous (E) - Evergreen			

26. All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within 90 days of completion of the improvements.

Additional Map Sheet

27. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. Based on the latest URBEMIS (air quality) modeling, the proposed project will generate between 10 - 24.99 lbs/day of one or more of the following pollutants: ROG, NO_x, SO₂, PM₁₀; the project will need to include the following Standard measures and at least 6 additional Discretionary mitigation measures and **be shown on an Additional Map Sheet prior to recordation of the final subdivision map and on all applicable plans prior to construction permit issuance:**
 - i. **Standard Measures (Include all standard mitigation measures listed below)**
 - (1) Provide on-site bicycle parking (one bicycle parking space for every ten car parking spaces); for the approximate ## spaces proposed, at least ## bicycle spaces shall be installed.
 - (2) Provide on-site eating, refrigeration and food vending facilities to reduce lunchtime trips;
 - (3) Provide preferential carpool and vanpool parking;
 - (4) Provide shower and locker facilities to encourage employees to bike and/or walk to work (one shower and three lockers for every 25 employees);
 - (5) Increase building energy efficiency rating by 10% above what is required by Title 24 requirements (this can be accomplished in a number of ways (increasing attic, wall or floor insulation, etc.).

ii. **Discretionary Measures (Include at least 6 of the following from the following sections):**

Site Design Mitigation:

- (1) Increase street tree planting above required minimum;
- (2) Plant shade trees in parking lots to reduce evaporative emissions from parked vehicles;
- (3) Provide on-site banking (ATM) and postal services;
- (4) Provide an on-site child care facility;
- (5) Provide on-site housing for employees;
- (6) Implement on-site circulation design elements in parking lots to reduce vehicle travel and emphasize the pedestrian environment;
- (7) Provide pedestrian signalization and signage to improve pedestrian safety;

Transportation Demand Mitigation:

- (8) Employ or appoint an Employee Transportation Coordinator (to be used when at least two alternative travel modes requiring coordination are selected);
- (9) Implement a Transportation Choices Program. The applicant will work with the Transportation Choices Coalition partners on how to start and maintain a program (contact SLO Regional Rideshare at 805/541-2277);
- (10) Provide for shuttle/mini bus service;
- (11) Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc.;
- (12) Implement compressed work schedules;
- (13) Implement telecommuting program;
- (14) Implement a lunchtime shuttle to reduce single occupant vehicle trips;
- (15) Participate in an employee "flash-pass" program, which provides free travel on transit buses;
- (16) Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area;
- (17) If the development is a grocery store or large retail facility, provide home delivery service for customers;

Energy Efficiency Measures:

- (18) Install shade trees planted closely along southern exposures of buildings to reduce summer cooling needs;
- (19) Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs;
- (20) Use built-in energy efficient appliances, where applicable;
- (21) Use double-paned windows;
- (22) Use low energy parking lot and street lights (i.e. sodium);
- (23) Use energy efficient interior lighting;
- (24) Install door sweeps and weather stripping if more efficient doors and windows are not available;
- (25) Install high efficiency or gas space heating;

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Clean Vehicle Measures:

- (26) Replace diesel fleet vehicles with cleaner fueled low emission vehicles (i.e school buses, transit buses, on- and off- road heavy duty vehicles, lighter duty trucks and passenger vehicles);
- (26) Retrofit existing equipment to reduce emissions using methods such as particulate filters, oxidation catalysts, or other approved technologies..

Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

b. Fugitive PM10 Mitigation Measures. All required PM10 measures shall be shown on applicable grading or construction plans for tract improvements **and on the Additional Map Sheet prior to map recordation**, with a note to be included on subsequent construction plans **prior to issuance of construction permits**. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD **prior to permit issuance**.

- i. Reduce the amount of the disturbed area where possible;
- ii. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- iii. All dirt stock-pile areas should be sprayed daily as needed;
- iv. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- v. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- vi. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible, and
- vii. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.

Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

c. Demolition Activities. Demolition activities can result in potentially negative air quality impacts, especially where material exists containing asbestos material. **Prior to issuance of any construction permit to remove or demolish any buildings or utility pipes on the subject property**, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – Asbestos NESHAP); b) District

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notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.

- d. **Naturally Occurring Asbestos (NOA).** Prior to map recordation, the following statement shall be included on an Additional Map Sheet and on the Grading Plan: Prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Tim Fuhs of our Enforcement Division at 781-5912.
- e. **Developmental Burning** Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.
- f. **Construction Permit Requirements.** Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. *The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.*
- i. Power screens, conveyors, diesel engines, and/or crushers;
 - ii. Portable generators (50 hp or greater);
 - iii. IC engines;
 - iv. Unconfined abrasive blasting operations;
 - v. Concrete batch plants;
 - vi. Rock and pavement crushing;
 - vii. Tub grinders associated with tree removal; and
 - viii. Trommel screens.

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

- g. **Prior to map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall be provided with the following statement:** At the time of application for construction permits for development, the applicant shall provide certification from an engineer qualified in noise analysis that a noise level of 45 dbA or less can be

maintained inside the office and/or residence structure(s) with the windows and doors closed (when buildout levels of traffic on West Tefft Street are considered). In the event the acceptable noise level is not reached, additional measures shall be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved. The applicant shall provide to the county written verification by the acoustical expert that acceptable levels have been achieved.

- h. Prior to map recordation the Additional Map Sheet and Conditions, Covenants and Restrictions shall be provided that state the following: At the time of application for construction permits for development,** the applicant shall provide certification from an engineer qualified in noise analysis that a noise level of 60 dbA or less can be maintained in the useable outdoor area (when buildout buildout levels of traffic on West Tefft Street are considered). Readings should be taken when noise source is loudest (e.g., during peak hours for West Tefft Street). In the event the acceptable noise level is not reached, additional measures shall be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved.
- i. Prior to final map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following statement: At the time of application for construction permits,** the applicant shall either submit a “toilet retrofit program” to be implemented **prior to project approval**, or submit evidence that they are participating in an existing toilet retrofit program within the groundwater basin where project water is being extracted. At a minimum, this development will need to identify the number of toilets to be installed and replace existing non-low-flow residential and commercial toilets at a 1:1 basis. This retrofit program shall be limited to existing development over the Santa Maria Groundwater Basin. Should it be shown to the county that there are insufficient fixtures available for this replacement program, a supplemental water savings program (may not include existing ordinance requirements as basis for water savings) may be substituted that is comparable to the water savings from a toilet retrofit program. **Prior to occupancy or final inspection of new development,** it must be shown to the satisfaction of the county that the comparable retrofit (or other off-site water saving method) has been completed.
- j. Prior to final map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following:** a Master Water Conservation Education Program for all future residents and commercial operators/employees. Such a program shall be developed by appropriate experts on interior and exterior water usage for each type of approved use (e.g., residential landscape watering section would consult a landscape architect or contractor familiar with the area's vegetation to provide: (1) guidelines for residents covering water conservation techniques; and (2) lists of ornamental drought-tolerant plants that would do well in the native soils, etc.). The program shall address all consumer-controlled water uses (e.g. landscaping, washing [e.g. dishes, clothes], showers, etc.). Once the program is developed, the applicant shall also include the means of which this information will be disseminated to all future occupants.

- k. **Prior to map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following statement:**
Prior to permit issuance, project plans shall show that all water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of “ultra low flow” design, where applicable. Water-using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water-efficiency design.
- l. **Prior to map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following statement:**
Prior to issuance of construction permits, a landscape plan shall indicate the following measures which shall be applied to any proposed turf areas:
 - i. Turf areas shall be limited to five (5) percent of the pervious surface area of the site.
 - ii. To maximize drought-tolerance and minimize water usage, warm season grasses (excludes bermuda grass) such as buffalo grass, shall be used;
 - iii. For turf areas, a computerized irrigation controller shall be installed that can estimate cumulative evapo-transpiration losses to establish the most efficient and effective watering regimes.
 - iv. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, over-watering, excessive fertilization, soil compaction and accumulation of thatch;
 - v. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently
- m. That the owner(s) of lot(s) 1 through 5 are responsible for on-going maintenance of the drainage basin and landscaping in a viable condition on a continuing basis in perpetuity.
- n. All driveways shall be constructed in accordance with County Standard Improvement Specifications and Drawings. All driveways constructed on county roads require an encroachment permit.
- o. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- p. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - i. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

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- 28. Prior to approval of tract improvements or construction plans,** drainage improvement design, including the following measures, shall be considered to maximize potential groundwater basin recharge:
- a. drainage from impervious surfaces (e.g. roads, driveways, buildings) shall be directed to a common drainage basin;
 - b. the project shall design as few basins as possible for the entire development;
 - c. where feasible, mass grading and contouring shall be done in a way to direct surface runoff towards the above-referenced basins (and/or closed depressions).
- 29. Prior to recordation of the final map,** the applicant shall show how the initial tract landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all pervious area, common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) landscaping shall not exceed 5 percent lawn surface of the site, with remaining landscaping being drought-tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.

Covenants, Conditions and Restrictions

- 30.** The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
- a. On-going maintenance of the drainage basin and site landscaping in a viable condition on a continuing basis into perpetuity.

Miscellaneous

- 31.** This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 32.** All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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and reviewed by Kami Griffin

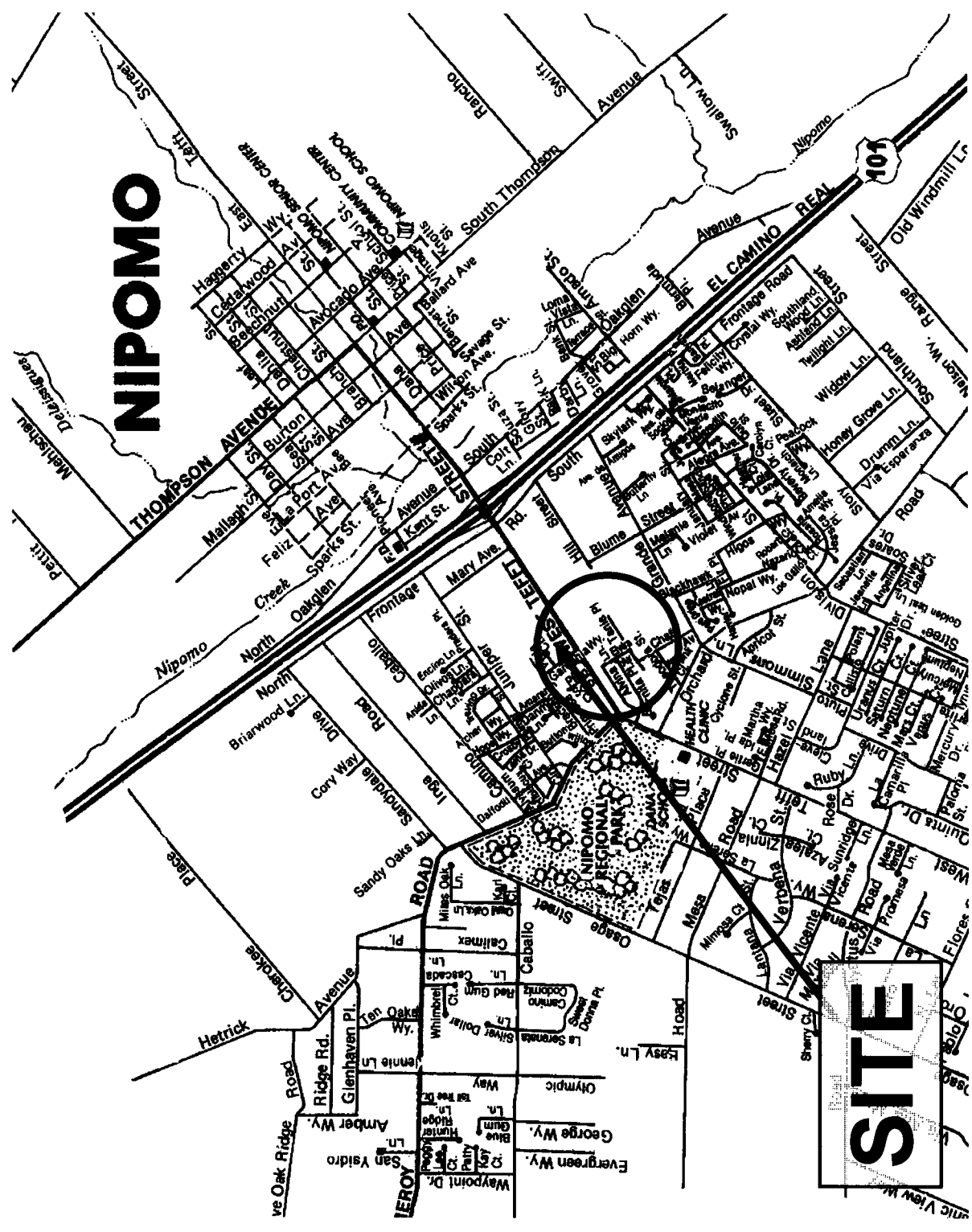
STANDARD CONDITIONS OF APPROVAL FOR
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.

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12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

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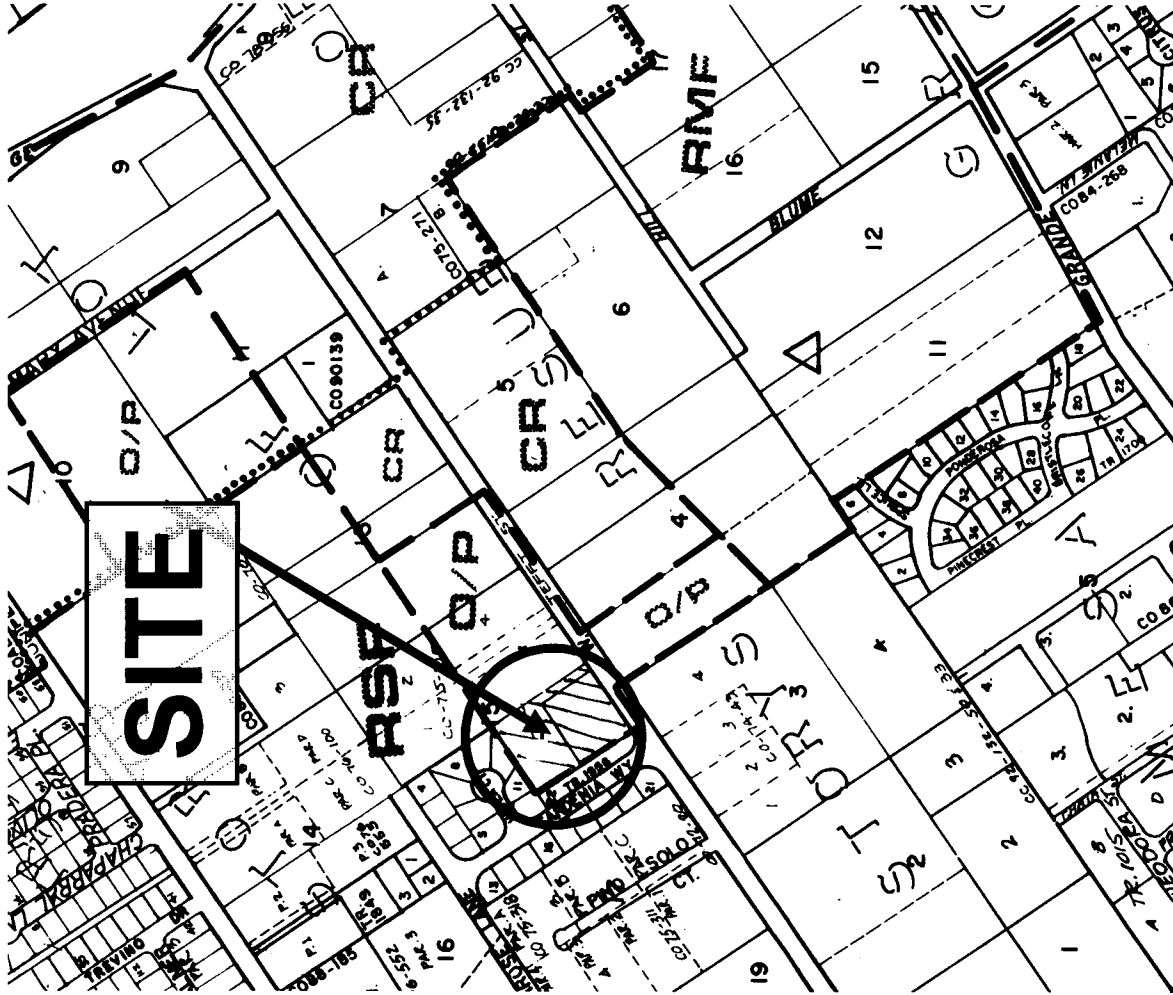
PROJECT

Tract Map
Hill SUB2003-00216 TR04-2724



EXHIBIT

Nipomo Vicinity



PROJECT

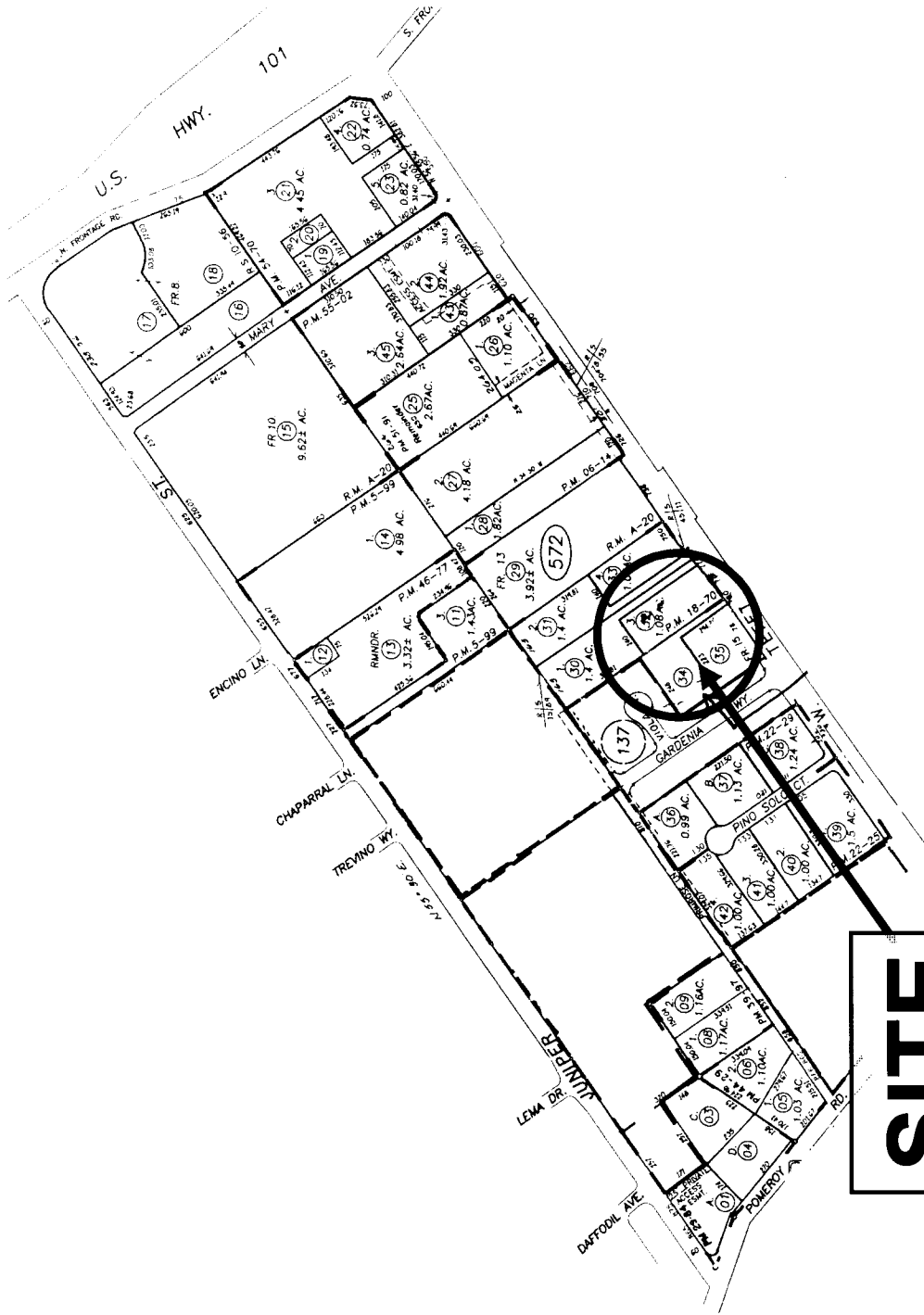
Tract Map
Hill SUB2003-00216 TR04-2724

EXHIBIT

Land Use Category Map



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SITE

PROJECT

Tract Map
Hill SUB2003-00216 TR04-2724

EXHIBIT

Tract Vicinity



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



EXHIBIT

Hill SUB2003-00216 TR04-2724

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SITE

PROJECT

Tract Map
Hill SUB2003-00216 TR04-2724

EXHIBIT

Aerial Photograph





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COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (JL)

ENVIRONMENTAL DETERMINATION NO. ED004-170

DATE: December 29, 2006

PROJECT/ENTITLEMENT: Hill Tract Map SUB2003-00216 TR04-2724

APPLICANT NAME: Jesse Hill
ADDRESS: 1910 Grand Avenue, Arroyo Grande, CA, 93420

CONTACT PERSON: Same as applicant **Telephone:** 805-489-8384

PROPOSED USES/INTENT: Request by Jesse Hill to allow for the subdivision of a two-acre parcel into five parcels ranging from approximately 0.17 to 1.1 acres each for the purpose of sale or development. The project implements Conditional Certificate of Compliance C2002-0355 for the proposed 1.1-acre parcel.

LOCATION: The project is located on the north side of West Tefft Street, approximately 50 feet east of Gardenia Way, within the community of Nipomo, in the South County planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on January 12, 2006

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency



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San Luis Obispo County
Department of Planning and Building
environmental division

ENVIRONMENTAL DOCUMENT FILING FEE FORM

NOTICE: During environmental review, this project required consultation, review or development of mitigation measures by the California Department of Fish and Game. Therefore, the applicants will be assessed user fees pursuant to section 711.4 of the California Fish and Game Code.. The California Environmental Quality Act (Section 21089) provides that this project is not operative, vested or final until the filing fees are paid.

Lead Agency: County of San Luis Obispo

Date: _____

County: San Luis Obispo

Project No. SUB2003-00216
TR04-2724

Project Title: Hill Tract Map

Project Applicant

Name: Jesse Hill & Marianne Buckmeyer

Address: 1910 Grand Avenue

City, State, Zip Code: Arroyo Grande, CA, 93420

Telephone #: 805-489-8384

Please remit the following amount to the **County Clerk-Recorder:**

() Environmental Impact Report	\$ 850.00
() Negative Declaration	\$ 1250.00
() County Clerk's Fee	\$ <u>25.00</u>

Total amount due:

AMOUNT ENCLOSED: _____

Checks should be made out to the "**County of San Luis Obispo**". Payment must be received by the County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040, within two days of project approval.

NOTE: Filing of the Notice of Determination for the attached environmental document requires a filing fee in the amount specified above. If the fee is not paid, the Notice of Determination cannot be filed.

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COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Hill Tract Map ED04-170; SUB2003-00216 Tract 04-2724

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Transportation/Circulation. |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Wastewater |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Water |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

James Lopez
Prepared by (Print)

James Lopez
Signature

12/22/05
Date

John Nall
Reviewed by (Print)

John Nall
Signature

Ellen Carroll,
Environmental Coordinator
(for)

12/22/05
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Proposal by Jesse Hill/Raul Hernandez for a Vesting Tentative Tract Map to allow for the subdivision of a two-acre parcel into five parcels of approximately 1.1, 0.25, 0.25, 0.25 and 0.17 acres for the purpose of sale or development. The project implements Conditional Certificate of Compliance C2002-0355 for the proposed 1.1-acre parcel. The project is located on the north side of West Tefft Street, approximately 50 feet east of Gardenia Way, within the community of Nipomo, in the South County planning area.

ASSESSOR PARCEL NUMBER(S): 092-572-034and035

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County (Inland), Nipomo

LAND USE CATEGORY: Office and Professional

COMBINING DESIGNATION(S): None

EXISTING USES: Two single family residences

TOPOGRAPHY: Gently sloping

VEGETATION: Ornamental landscaping

PARCEL SIZE: 2 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Single Family; residential	<i>East:</i> Office and Professional; vacant
<i>South:</i> Office and Professional and Residential Single Family; vacant and residential	<i>West:</i> Residential Single Family; drainage basin

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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is visible uphill from West Tefft Street, a major public roadway. The backdrop south of the site is single-family homes at a low density. No significant natural features are located within the site or would be blocked by development on the site. The zoning of the site is Office and Professional, and as a result of the project, new offices could be built that would change the character of the area from low density residential to non-residential uses.

Impact. No significant visual impacts are expected to occur with the project and conformance with standards of the Land Use Ordinance.

Mitigation/Conclusion. No mitigation measures are necessary.

2.	AGRICULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. AGRICULTURAL RESOURCES**- Will the project:**Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicable

d) Other _____

☐☐☐☐**Setting.** The soil types include: (inland)
(0-9% slope)

Oceano sand (0-2%)

As described in the NRCS Soil Survey, the "non-irrigated" soil class is "VI" , and the "irrigated" soil class is "IV".

Impact. The project is located in a predominantly urban, non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablea) **Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?**☐☒☐☐b) **Expose any sensitive receptor to substantial air pollutant concentrations?**☐☐☒☐c) **Create or subject individuals to objectionable odors?**☐☐☒☐d) **Be inconsistent with the District's Clean Air Plan?**☐☐☒☐

e) Other _____

☐☐☐☐

Setting. The project site is located within the South Central Coast Air Basin and is nearest to the Nipomo Ralcoa Way Air Quality Monitoring Station. Based on the latest air monitoring station information (per the County's RMS annual report, 2004), the trend in air quality in the general area is declining where unacceptable ozone levels were exceeded once in 2003 (up from no exceedances in 2002), and PM₁₀ levels were exceeded four times in 2003 (up from two exceedances in 2002) at the Nipomo monitoring stations.

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NO_x) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM₁₀) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development

relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

The proposed project site is located in the immediate vicinity of single-family residences. Residential areas are sensitive to air pollution, including both construction and operational emissions. Approximately one-quarter (1/4) acre of site disturbance would occur during grading activities for the construction of the proposed access road, drainage improvements and utilities installation.

The site contains two single family residences. Although their removal is not proposed as part of tract improvements, once the tract is recorded the owners of the new lots will likely move or demolish them to accommodate office or mixed-use development. Due to the ages of the houses, asbestos-containing material may exist within them, which could emit carcinogens if not handled safely.

Impacts. The proposed project was referred to the County of San Luis Obispo Air Pollution Control District (APCD) for review and determination of any air quality impacts potentially resulting during both the construction and operational phases of the proposed project. The APCD determined that the proposed project would not likely exceed the District's CEQA significance threshold for construction phase emissions; however, grading activities would generate dust. The proposed project would result in the construction of tract improvements, and subsequent development of approximately 30,000 square feet of offices, or a combination of mixed-use office and residential development. With parking, drainage and landscape areas, site development would ultimately comprise approximately 95 percent of the two-acre site. Office uses would generate approximately 460 daily traffic trips, using Institute of Traffic Engineers' trip generation rates. Based on the location of the proposed project within the existing boundaries of the Nipomo Urban Reserve Line, the project is consistent with the Clean Air Plan (Melissa Guise; November 23, 2005).

Construction-Related Fugitive Dust (PM₁₀). Implementation of the proposed project would result in the generation of dust, potentially affecting local residents in close proximity to the project site. Dust complaints could result in violation of the APCD's nuisance rules, a potentially significant air quality impact. In addition, construction of the proposed project would contribute to the cumulative generation of PM₁₀ in the Nipomo area.

Demolition-Related Asbestos Containing Material. Implementation of the proposed project may require the demolition and disposal of utilities or pipelines, or two existing residences, which may contain asbestos.

Operational Phase Emissions. APCD staff determined the operational impacts of this development through the use of the URBEMIS2002 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will likely exceed the APCD's CEQA Tier I significance threshold value of 10 lbs/day for nitrogen oxides (NOx), particulate matter (PM₁₀) and reactive organic gases (ROG).

In 1994, the South County Area Plan was adopted and associated EIR certified. As a part of that analysis, a cumulative assessment of the build-out impacts of the planning area was completed, which included the ultimate breakdown of the subject property as is currently proposed. While cumulative impacts to air quality was identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan build-out would offset some of these impacts.

Any new residence(s) will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality

and reduce single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements; encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths.

Mitigation/Conclusion.

Fugitive Dust (PM₁₀). To minimize nuisance dust impacts, the applicant is required to implement APCD fugitive dust mitigation measures including reducing the amount of disturbed area where possible, the use of water trucks or sprinkler systems to water down airborne dust, daily spraying of dirt stock-pile areas, paving of applicable surfaces as soon as possible after grading, laying of building pads as soon as possible (refer to Exhibit B for a complete list of mitigation measures). In addition, only APCD-approved wood burning devices may be installed in any proposed residences.

Asbestos Containing Material. In the event the demolition and disposal of residences, utilities or pipelines is required, the applicant shall contact the APCD and comply with the National Emission Standard for Hazardous Air Pollutants (NESHAP).

Operational Phase Emissions. As a result of the estimated threshold exceedance, this project must implement all applicable Standard Mitigation Measures and at least 6 Additional Mitigation Measures listed below. Other measures may be proposed as replacements by contacting Melissa Guise of the APCD's Planning Division at 781-4667.

Standard Measures (Include all standard mitigation measures marked below)

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
- Increase the building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, using efficient interior lighting, etc.).

Discretionary Measures (Include at least 6 of the following)

Site Design Mitigation for this Commercial Project

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site banking (ATM) and postal services.
- Provide on-site child care facilities for employees.
- Provide on-site housing for employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signalization and signage to improve pedestrian safety.

Transportation Demand Mitigation

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.

- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc by implementing the Transportation Choices Program. The applicant should Contact SLO Regional Rideshare at 541-2277 to receive free consulting services on how to start and maintain a program.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.
- Install an electric vehicle charging station with both conductive and inductive charging capabilities.
- Employ or appoint an Employee Transportation Coordinator.
- Implement an APCD approved Trip Reduction Program.
- Provide for shuttle/mini bus service.
- Increase the quality of existing bicycle routes/lanes or add bicycle routes/lanes which access the project.
- Implement compressed work schedules.
- Implement a telecommuting program.
- Implement a lunch-time shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash pass" program, which provides free travel on transit buses.
- Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area.
- If the development is a large grocery store or large retail facility, provide home delivery service for customers.

Energy Efficiency Measures

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (e.g. sodium).

Any new residence(s) will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reduce trips by single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements, encouraging carpooling through park-and-ride lot improvements and ridesharing advertising, promoting the use of bicycles through bike lane installation, reducing dust through limited road paving of several unpaved roads, and by providing electronic information/services locally to reduce vehicle trip lengths.

Implementation of the mitigation measures described above and listed in Exhibit B would mitigate all identified air quality impacts to levels of insignificance.

4. BIOLOGICAL RESOURCES - ***Will the project:***

a) *Result in a loss of unique or special status species or their habitats?*

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

☐
☐
☒
☐

4. BIOLOGICAL RESOURCES - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Grasses Based on the latest California Diversity database and other biological references, no sensitive species or habitats were identified.

Plants: Located about 0.30 miles west is Sand Mesa Manzanita (*Arctostaphylos rudis*)

Wildlife: None

Habitats: None

Impact. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

Impact. A Phase I (surface) survey was conducted by Leroy Laurie (Cultural Resource Management Services) on July 19, 2004. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

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6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project is gently sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered negligible. The liquefaction potential during a ground-shaking event is considered low. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Nipomo Creek) from the proposed development is approximately .35 miles to the east. As described in the NRCS Soil Survey, the soil is considered well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a

drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff will have no more impacts than that caused by historic flows. The project proposes to construct a 1.5-foot deep retention basin to contain runoff on-site from parcels 2, 3 and 4.

SEDIMENTATION AND EROSION - The soil types include:
Oceano sand (0-9% slope)

As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility, and low shrink-swell characteristics.

Projects involving more than one acre (43,560 sq. ft.) of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. As proposed, the project will result in the disturbance of approximately 14,000 square feet.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or code are needed.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within an Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The site is located adjacent to the north side of West Tefft Street, a five-lane arterial street. The topography slopes up from West Tefft Street gradually. The site is adjacent to single family residences on the north and west. Two residences exist on the site, in the locations of Parcels 1 and 5. It will create parcels for sale and development of office and related uses, potentially including mixed-use residential occupancy.

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses. However, it is affected by noise from West Tefft Street, according to noise contour maps in the Noise Element of the General Plan. Noise contour maps in the element indicate that almost half of the site from West Tefft Street could be louder than 65 decibels, and almost half of the remainder could be louder than 60 decibels (Ldn). Office uses are the primary allowed use on the site, and they would be exposed to street-related noise levels that would exceed the acceptable exposure of 60 decibels in outdoor activity areas, and 45 decibels in interior spaces (Figure 3-1, Noise Element, Part I). Residential uses are allowable secondary to office or commercial development on this site, and potential residential development may be exposed to the same unacceptable levels of noise.

Mitigation/Conclusion. The project should be required to reduce potential noise impacts to less than significant levels by incorporating requirements into subdivision Conditions, Covenants and Restrictions, that the design of future development will include acoustical construction methods and materials as mitigation measures to reduce noise in outdoor activity areas and interior spaces to or below the levels specified for the given land use in Table 3-1 of the Noise Element, Part I.

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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9. POPULATION/HOUSING -

Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

b) *Displace existing housing or people, requiring construction of replacement housing elsewhere?*

☐
☐
☒
☐

c) *Create the need for substantial new housing in the area?*

☐
☐
☒
☐

d) *Use substantial amount of fuel or energy?*

☐
☐
☒
☐

e) *Other* _____

☐
☐
☐
☐

Setting. In its efforts to provide for affordable housing, the county currently administers a Community Development Block Grant Program, which provides grants to projects relating to affordable housing throughout the county.

Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary other than compliance with the Public Facilities Fees code. Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project.

10. PUBLIC SERVICES/UTILITIES -

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

a) *Fire protection?*

☐
☒
☐
☐

b) *Police protection (e.g., Sheriff, CHP)?*

☐
☒
☐
☐

c) *Schools?*

☐
☐
☒
☐

d) *Roads?*

☐
☒
☐
☐

e) *Solid Wastes?*

☐
☐
☒
☐

f) *Other public facilities?*

☐
☐
☒
☐

g) *Other* _____

☐
☐
☒
☐

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the

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primary emergency responders. The closest CDF fire station (Nipomo CDF Station) is approximately 1 miles to the northeast. The closest Sheriff substation is SLO CO-South Patrol , which is approximately 15 miles from the proposed project. The project is located in the Lucia Mar School District.

Impact. The project direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the facility impact fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et sec) and road impact fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource. The proposed subdivision is within an Office and Professional land use category, and therefore it is not subject to requirements for the dedication of land, or payment of in-lieu fee, for the improvement or development of neighborhood or community parks.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. TRANSPORTATION/ CIRCULATION - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto West Tefft Street, which is an urban arterial street. The identified roadway is operating at acceptable levels according to the most recent published and approved information. Referrals were sent to the Public Works Department and Caltrans, and no significant traffic-related concerns were identified.

Impact. The proposed subdivision is anticipated to result in the construction of approximately 30,500 square feet of office floor area (with a presumed average 0.35 floor/area ratio). This floor area is estimated to generate about 460 trips per day, or 46 peak-hour trips based on the Institute of Traffic Engineer's manual of 1.5 peak-hour trips per 1,000 square feet of floor area. This is considered a small amount of additional traffic, which will not result in a significant change to the existing road service levels or traffic safety.

The West Tefft Street / South Frontage Road intersection at the Highway 101 is currently operating at LOS D, which is acceptable for urban intersections (Richard Marshall April 8, 2005). The Public Works Department is currently consulting with the California Department of Transportation (Caltrans) regarding future improvements to the Highway 101 and Tefft Street interchange. The continued development of Nipomo, including the proposed project, would increase the cumulative traffic demands on West Tefft Street, and the Highway 101 and Tefft Street interchange. Based on consultation with the Public Works Department, the Level of Service at the interchange would decrease to LOS F under the cumulative build-out scenario. The County has developed the South County Road Fee Program to collect fees to be used towards road improvement projects within Nipomo and South County, including future improvements to the Highway 101 and Tefft Street interchange.

Mitigation/Conclusion. No project-specific significant traffic impacts were identified, and no mitigation measures are necessary. The project would add funds through the payment of fees to the fee program, to mitigate its share of cumulative impact.

13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to be provided wastewater collection and disposal service by the Nipomo Community Services District.

Impact. The Nipomo CSD has adequate capacity to serve the project, and no significant impacts are identified.

Mitigation/Conclusion. No mitigation measures are considered necessary.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to use Nipomo CSD as its water source. On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 1.8% growth limit, as depicted in the Growth Management Ordinance.

The County Flood Control and Water Conservation District will implement improved well-monitoring and water quality monitoring programs for this area. Water purveyors in the Nipomo Mesa area are encouraged to strengthen their water conservation programs, increase their use of reclaimed water and continue their efforts to secure supplemental water.

A planning area standard will be enacted by which building permits will be required to include the full range of water conservation measures, including:

Indoor measures

Low water-use toilets, showerhead, faucets;
 Low water-use clothes washers;
 Automatic shut-off devices for bathroom and kitchen faucets;
 Point-of-use supplemental water heater systems in bathrooms and kitchen, or circulating hot water systems.

Outdoor measures

Low water-use landscape

Limited landscape area;
 Limited turf area;
 Low water-use plant materials;

Hardware

Soil moisture sensors;
 Drip irrigation system;
 Separate meter for outdoor water;

Management

Operating manual to instruct homeowner how to use and maintain water conservation hardware.

The Board of Supervisors also directed staff to process a general plan amendment (planning area standard) that would expand the application of landscape standards in the LUO (Sec. 22.16.020) for projects in the area subject to the 1.8% growth limit. Low water-use landscapes will be required for all developer-installed landscapes on parcels of 5 acres or less in any land use category (currently, this provision applies to parcels of 2 acres or less).

Homeowner-provided landscaping for projects approved with Minor Use Permits, Conditional Use Permits or Site Plans must also comply with Section 22.16.020. Section 22.16.030 will also apply to projects with a potential total irrigated landscape area of 1,500 square feet or greater (currently, projects less than 2,500 square feet are exempt).

In an effort to monitor the effectiveness of these water conservation measures, each annual update of the Growth Management Ordinance will include data to indicate if the water use rate per dwelling unit is trending downward. If progress toward water conservation targets is not evident, further growth limitations may be recommended.

The topography of the project is gently sloping. The closest creek from the proposed development is approximately .35 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Impact. As proposed, the project will result in the disturbance of approximately 14,000 square feet. This area is below the threshold of significance for surface water quality impacts. Based on a study of water usage in Santa Barbara, subsequent general office uses are anticipated to demand approximately 0.1 acre foot per year (AFY) per 1,000 square feet of floor area. With office

development expected to be the primary use of the site, and at a 0.35 floor/area ratio, the 2-acre site will have a probable floor area of 30,500 square feet. Water demand associated with this area would be approximately three (3) AFY. Specific office uses such as medical offices could increase water use, and residential mixed use projects would be more consumptive. The individual impact of this amount of water use may not be significant; however, this project along with numerous others in the groundwater basin will have a cumulative impact on groundwater resources. Measures to conserve water and minimize water usage that are similar to those in amendments that the Board of Supervisors has authorized should be undertaken with individual projects.

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality. Water conservation measures for the design, construction and operation of the project and subsequent uses should be provided.

15. LAND USE - <i>Will the project:</i>	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

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16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially Significant

Impact can & will be mitigated

Insignificant Impact

Not Applicable

a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

☐
☐
☒
☐

b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)*

☐
☒
☐
☐

c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

☐
☐
☒
☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input checked="" type="checkbox"/>	Nipomo Community Service District	Attached
<input checked="" type="checkbox"/>	Other <u>Nipomo Community Advisory Council</u>	None
<input type="checkbox"/>	Other _____	Not Applicable

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Phase I Archaeological Inventory: Survey of 2 Acres at 780-782 W. Tefft Street (Leroy Laurie, July 19, 2004)

Exhibit B - Mitigation Summary Table**Air Quality**

AQ-1 Based on the latest URBEMIS (air quality) modeling, the proposed project will generate between 10 - 24.99 lbs/day of one or more of the following pollutants: ROG, NO_x, SO₂, PM₁₀; the project will need to include the following Standard measures and at least 6 additional Discretionary mitigation measures and be shown on an Additional Map Sheet **prior to recordation of the final subdivision map** and on all applicable plans **prior to construction permit issuance**:

Standard Measures (Include all standard mitigation measures listed below)

- a. Provide on-site bicycle parking (one bicycle parking space for every ten car parking spaces); for the approximate ## spaces proposed, at least ## bicycle spaces shall be installed.
- b. Provide on-site eating, refrigeration and food vending facilities to reduce lunchtime trips;
- c. Provide preferential carpool and vanpool parking;
- d. Provide shower and locker facilities to encourage employees to bike and/or walk to work (one shower and three lockers for every 25 employees);
- e. Increase building energy efficiency rating by 10% above what is required by Title 24 requirements (this can be accomplished in a number of ways (increasing attic, wall or floor insulation, etc.).

Discretionary Measures (Include at least 6 of the following)Site Design Mitigation:

- a. Increase street tree planting above required minimum;
- b. Plant shade trees in parking lots to reduce evaporative emissions from parked vehicles;
- c. Provide on-site banking (ATM) and postal services;
- d. Provide an on-site child care facility;
- e. Provide on-site housing for employees;
- f. Implement on-site circulation design elements in parking lots to reduce vehicle travel and emphasize the pedestrian environment;
- g. Provide pedestrian signalization and signage to improve pedestrian safety;

Transportation Demand Mitigation:

- a. Employ or appoint an Employee Transportation Coordinator (to be used when at least two alternative travel modes requiring coordination are selected);
- b. Implement a Transportation Choices Program. The applicant will work with the Transportation Choices Coalition partners on how to start and maintain a program (contact SLO Regional Rideshare at 805/541-2277);
- c. Provide for shuttle/mini bus service;

- d. Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc.;
- e. Implement compressed work schedules;
- f. Implement telecommuting program;
- g. Implement a lunchtime shuttle to reduce single occupant vehicle trips;
- h. Participate in an employee "flash-pass" program, which provides free travel on transit buses;
- i. Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area;
- j. If the development is a grocery store or large retail facility, provide home delivery service for customers;

Energy Efficiency Measures:

- a. Install shade trees planted closely along southern exposures of buildings to reduce summer cooling needs;
- b. Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs;
- c. Use built-in energy efficient appliances, where applicable;
- d. Use double-paned windows;
- AQ-2 e. Use low energy parking lot and street lights (i.e. sodium);
- f. Use energy efficient interior lighting;
- g. Install door sweeps and weather stripping if more efficient doors and windows are not available;
- h. Install high efficiency or gas space heating;

Clean Vehicle Measures:

- a. Replace diesel fleet vehicles with cleaner fueled low emission vehicles (i.e school buses, transit buses, on- and off- road heavy duty vehicles, lighter duty trucks and passenger vehicles);
- b. Retrofit existing equipment to reduce emissions using methods such as particulate filters, oxidation catalysts, or other approved technologies..

Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

AQ-2 *Fugitive PM10 Mitigation Measures.* All required PM10 measures shall be shown on applicable grading or construction plans for tract improvements and on the Additional Map Sheet **prior to map recordation**, with a note to be included on subsequent construction plans **prior to issuance of construction permits**. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD **prior to permit issuance**.

- a. Reduce the amount of the disturbed area where possible;

- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock-pile areas should be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- e. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- f. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible, and
- g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.

Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

AQ-3 *Demolition Activities.* Demolition activities can result in potentially negative air quality impacts, especially where material exists containing asbestos material. **Prior to issuance of any construction permit to remove or demolish any buildings or utility pipes on the subject property**, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.

AQ-4 *Naturally Occurring Asbestos (NOA).* **Prior to map recordation, the following statement shall be included on an Additional Map Sheet and on the Grading Plan: Prior to any grading activities at the site**, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Tim Fuhs of our Enforcement Division at 781-5912.

- a. *Developmental Burning* Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any

questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

AQ-5 *Construction Permit Requirements* **Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.** The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- a. Power screens, conveyors, diesel engines, and/or crushers;
- b. Portable generators (50 hp or greater);
- c. IC engines;
- d. Unconfined abrasive blasting operations;
- e. Concrete batch plants;
- f. Rock and pavement crushing;
- g. Tub grinders associated with tree removal; and
- h. Trommel screens.

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Noise

N-1 **Prior to map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall be provided that state the following:** At the time of application for construction permits for development, the applicant shall provide certification from an engineer qualified in noise analysis that a noise level of 45 dbA or less can be maintained inside the office and/or residence structure(s) with the windows and doors closed (when buildout levels of traffic on West Tefft Street are considered). In the event the acceptable noise level is not reached, additional measures shall be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved. The applicant shall provide to the county written verification by the acoustical expert that acceptable levels have been achieved.

N-2 **Prior to map recordation the Additional Map Sheet and Conditions, Covenants and Restrictions shall be provided that state the following:** At the time of application for construction permits for development, the applicant shall provide certification from an engineer qualified in noise analysis that a noise level of 60 dbA or less can be maintained in the useable outdoor area (when buildout buildout levels of traffic on West Tefft Street are considered). Readings should be taken when noise source is loudest (e.g., during peak hours for West Tefft Street). In the event the acceptable noise level is not reached, additional measures shall be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved.

Water Supply

W-1 **Prior to final map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following statement:** At the time of application for construction permits, the applicant shall either submit a "toilet retrofit program" to be

implemented **prior to project approval**, or submit evidence that they are participating in an existing toilet retrofit program within the groundwater basin where project water is being extracted. At a minimum, this development will need to identify the number of toilets to be installed and replace existing non-low-flow residential and commercial toilets at a 1:1 basis. This retrofit program shall be limited to existing development over the Santa Maria Groundwater Basin. Should it be shown to the county that there are insufficient fixtures available for this replacement program, a supplemental water savings program (may not include existing ordinance requirements as basis for water savings) may be substituted that is comparable to the water savings from a toilet retrofit program. **Prior to occupancy or final inspection of new development**, it must be shown to the satisfaction of the county that the comparable retrofit (or other off-site water saving method) has been completed.

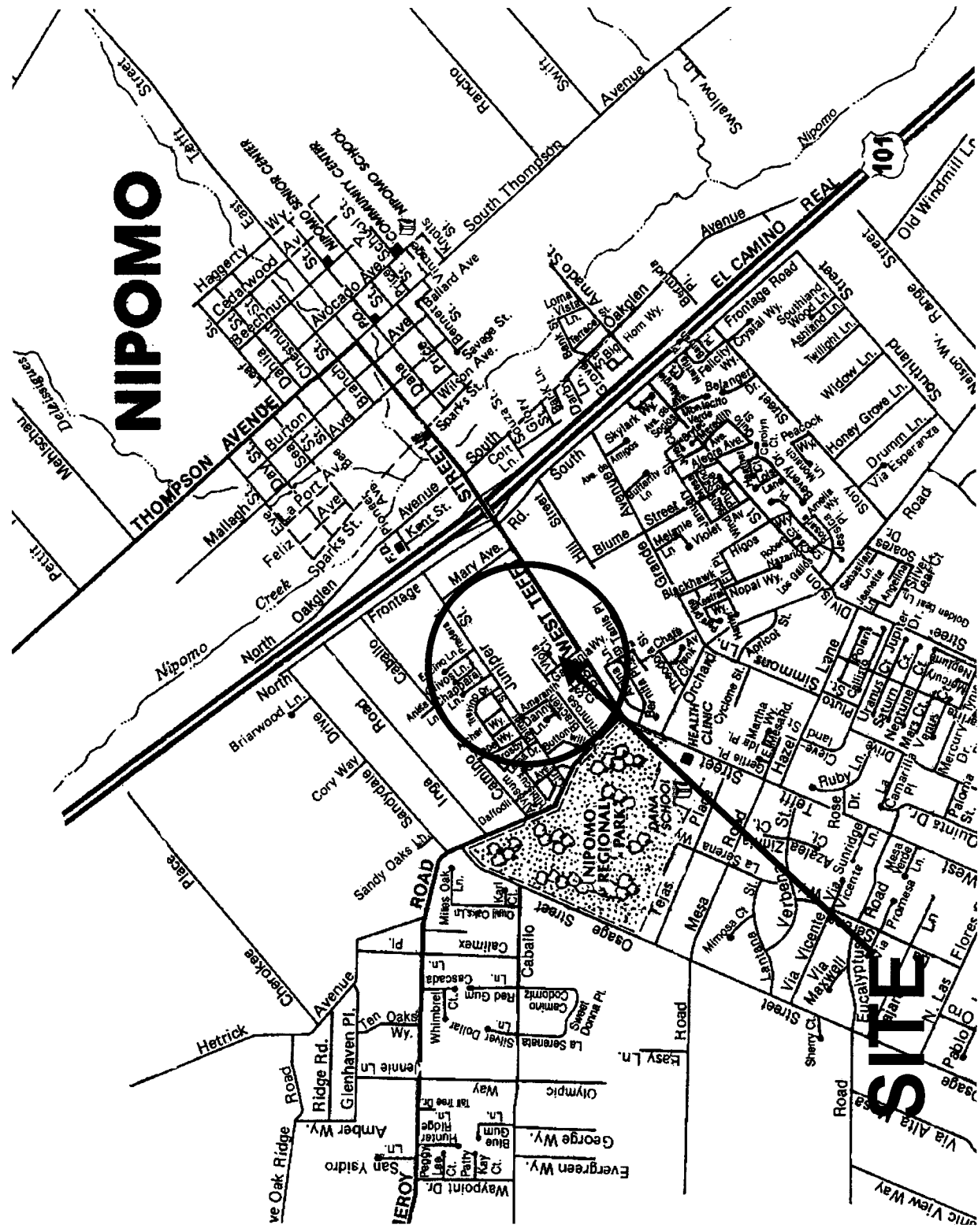
- W-2 **Prior to final map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following:** a Master Water Conservation Education Program for all future residents and commercial operators/employees. Such a program shall be developed by appropriate experts on interior and exterior water usage for each type of approved use (e.g., residential landscape watering section would consult a landscape architect or contractor familiar with the area's vegetation to provide: (1) guidelines for residents covering water conservation techniques; and (2) lists of ornamental drought-tolerant plants that would do well in the native soils, etc.). The program shall address all consumer-controlled water uses (e.g. landscaping, washing [e.g. dishes, clothes], showers, etc.). Once the program is developed, the applicant shall also include the means of which this information will be disseminated to all future occupants.
- W-3 **Prior to map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following statement:** **Prior to permit issuance**, project plans shall show that all water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water-using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water-efficiency design.
- W-4 **Prior to map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following statement:** **Prior to issuance of construction permits**, a landscape plan shall indicate the following measures which shall be applied to any proposed turf areas:
- Turf areas shall be limited to five (5) percent of the pervious surface area of the site.
 - To maximize drought-tolerance and minimize water usage, warm season grasses (excludes bermuda grass) such as buffalo grass, shall be used;
 - For turf areas, a computerized irrigation controller shall be installed that can estimate cumulative evapo-transpiration losses to establish the most efficient and effective watering regimes.
 - To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, over-watering, excessive fertilization, soil compaction and accumulation of thatch;
 - Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently;
- W-5 **Prior to approval of tract improvements or construction plans**, drainage improvement design, including the following measures, shall be considered to maximize potential

groundwater basin recharge:

- a. drainage from impervious surfaces (e.g. roads, driveways, buildings) shall be directed to a common drainage basin;
- b. the project shall design as few basins as possible for the entire development;
- c. where feasible, mass grading and contouring shall be done in a way to direct surface runoff towards the above-referenced basins (and/or closed depressions).

W-6 **Prior to recordation of the final map**, the applicant shall show how the initial tract landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all pervious area, common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) landscaping shall not exceed 5 percent lawn surface of the site, with remaining landscaping being drought-tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.

3-55



EXHIBIT

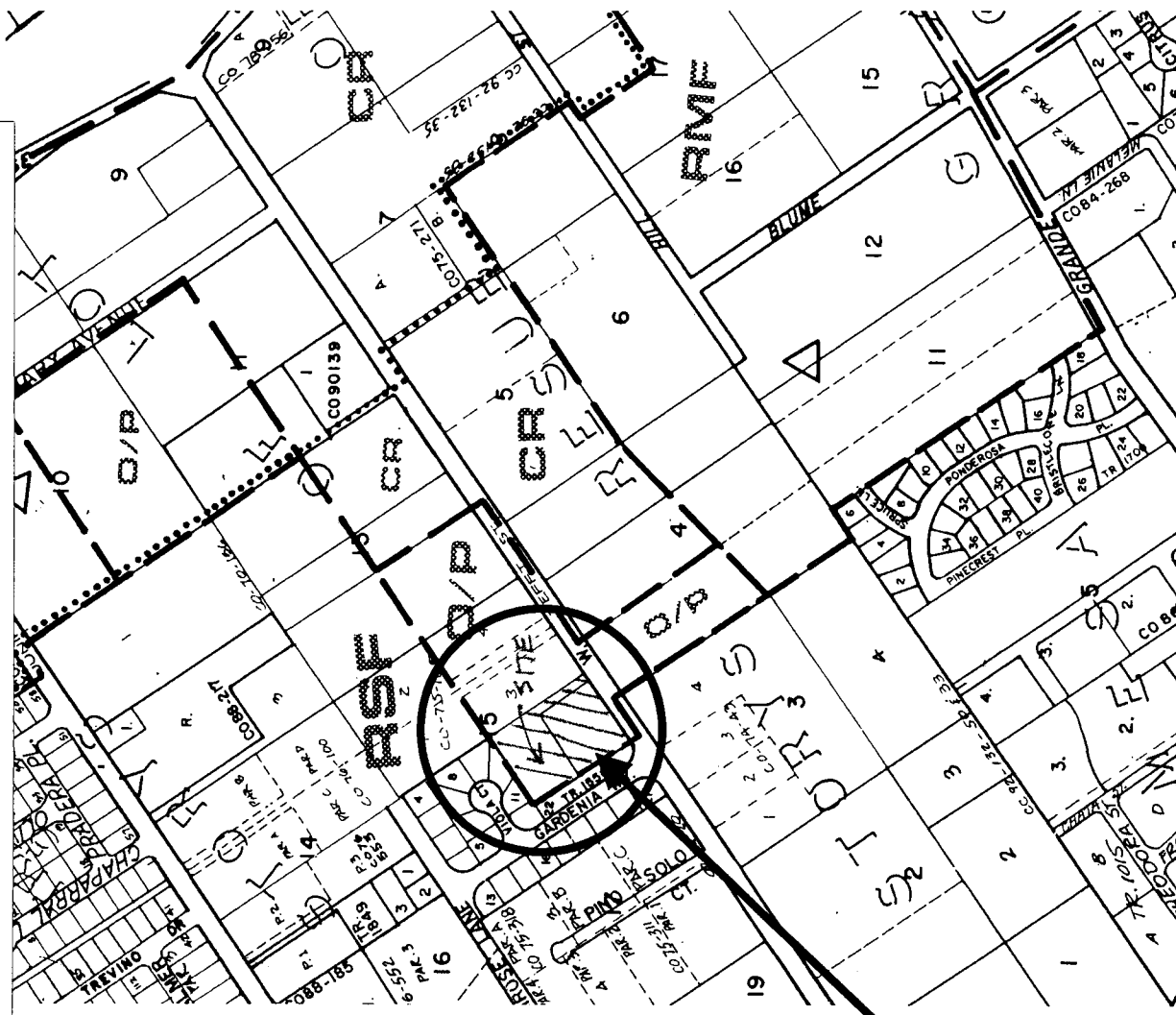
Vicinity Map



PROJECT

Tract Map
HILL SUB2003-00216

3-56



SITE

PROJECT

Tract Map
HILL SUB2003-00216

EXHIBIT

Land Use Category Map



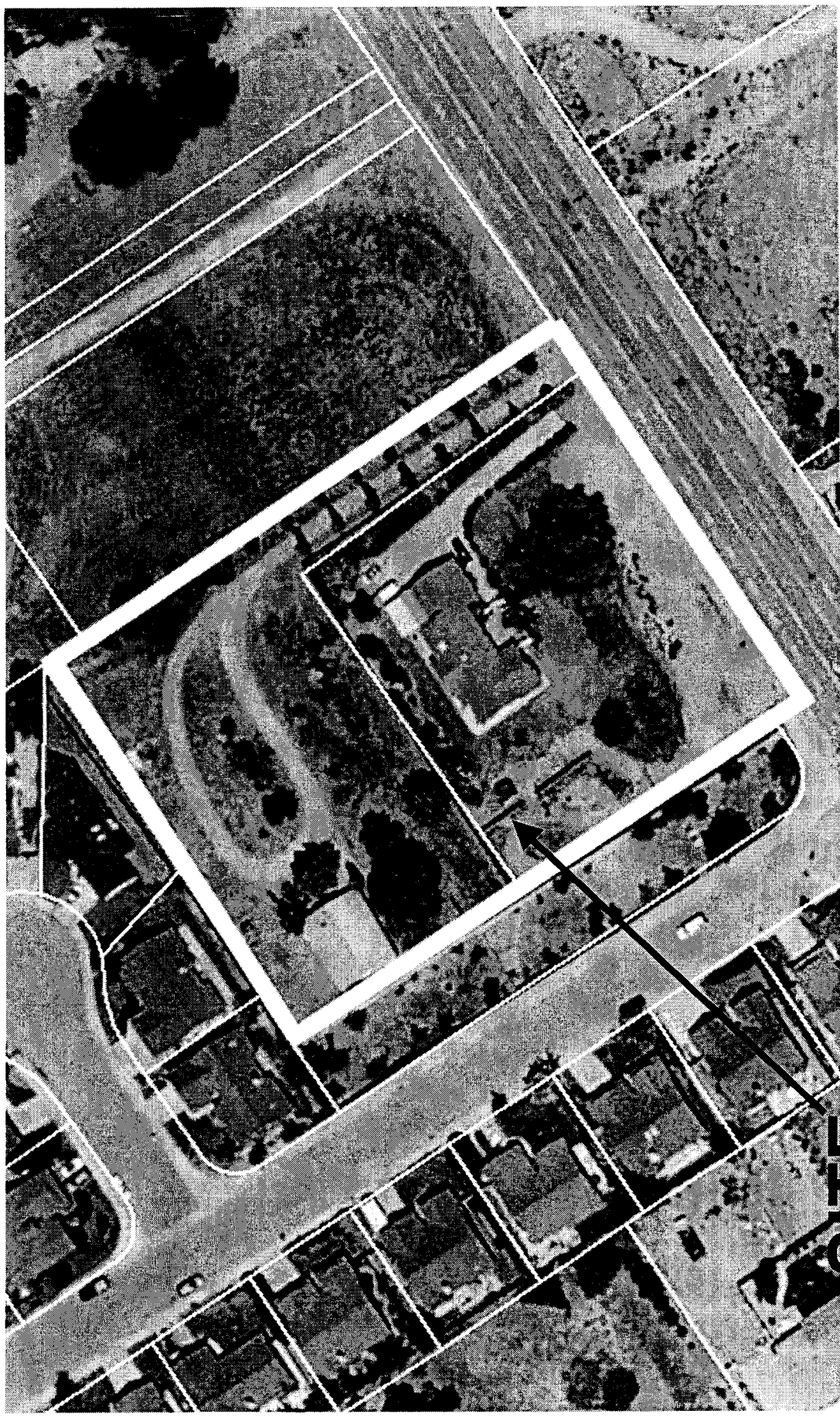


Tract Map
HILL SUB2003-00216



Tract Vicinity Map

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SITE

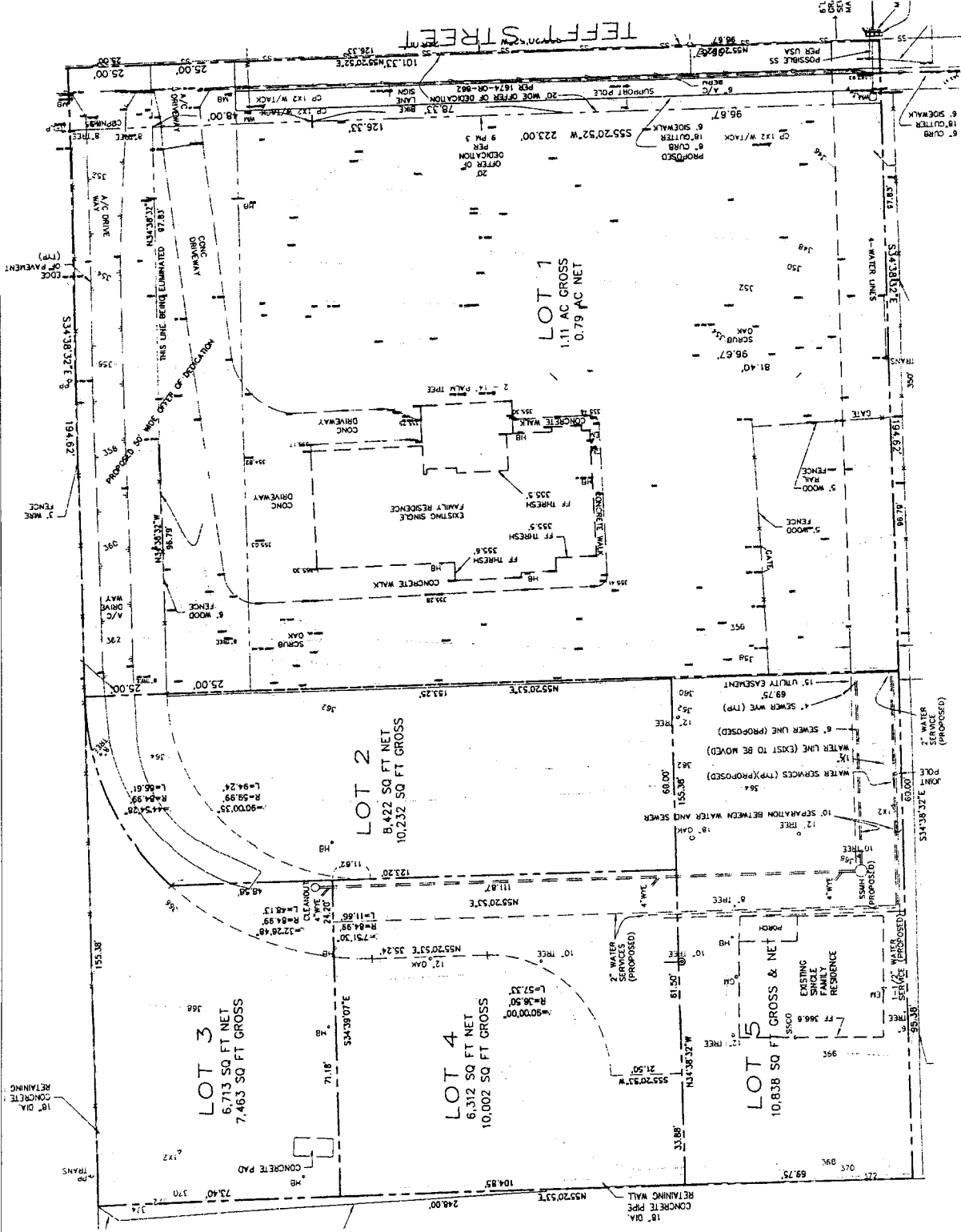
EXHIBIT

Aerial Photograph



PROJECT

Tract Map
HILL SUB2003-00216



EXHIBIT

Tract Map



PROJECT

Tract Map
HILL SUB2003-00216

3-60

INTER-OFFICE MEMO

TO: Jim Lopes, Department of Planning and Building

FROM: Mikel Goodwin, Public Works Department (MG)

SUBJECT: CO 02-0251, Buckmeyer/Hill

DATE: 27 September 2004

Thank you for the revised tentative map and the preliminary grading and drainage plan. Please ignore my previous comments, somehow I was under the impression this was a SFR project instead of an O&P project. I have attached new stock conditions.

The referral dated 17 May 2004 stated this was a Parcel Map w/ LLA as required by COC. I will let you handle the COC conditions.

We discussed the 50 foot road offer, I don't know where it came from, it could have been when this was a Tract Map and it was serving more lots. 21.030.010(d)(7) states we can only serve 5 parcels on a private easement. This could be reduced in width, or it can be completed with a cul-de-sac bulb (I will include a condition in the stocks to do so).

The driveways serving all these parcels should be combined and shared. The County Standard commercial driveway may be 35 feet wide or if the project is expected to generate more than 200 vehicles per PM peak hour the County Standard B-8 High Volume Driveway would be appropriate.

The proposed hammer-head turn around at the end of the access easement should be checked/approved by CDF. If the drainage basin is adjacent to the access easement on parcel 2 there may not be room to extend the turn around after approval if it is needed.



AIR POLLUTION
CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

3-61

RECEIVED

NOV 28 2005

Planning & Bldg

Date: November 23, 2005

To: Jim Lopes
San Luis Obispo County Department of Planning and Building

From: Melissa Guise *MA*
San Luis Obispo County Air Pollution Control District

SUBJECT: APCD Comments Regarding the Nipomo Subdivision
(SUB 2003-00216/Tract 2724)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located on Tefft Street in Nipomo. The project as proposed allow for the subdivision of two parcels totaling 2 acres into four parcels of approximately 1.1, 0.25, 0.25, 0.25 and 0.17 acres for the purpose of sale or development. We have the following comments regarding this project.

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

CONSTRUCTION PHASE MITIGATION

Dust Control Measures

The project will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule.

APCD staff recommend the following measures be incorporated into the project to control dust:

- Reduce the amount of the disturbed area where possible;
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- All dirt stock-pile areas should be sprayed daily as needed;
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site, and
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

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Demolition Activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM.** This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Tim Fuhs of our Enforcement Division at 781-5912.

Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. **Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.** The following list is provided as a guide to equipment and operations that

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may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators (50 hp or greater);
- IC engines;
- Unconfined abrasive blasting operations;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders associated with tree removal; and
- Trommel screens.

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

OPERATIONAL PHASE MITIGATION

APCD staff has determined the operational impacts of this development through the use of the URBEMIS2002 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will likely exceed the APCD's CEQA Tier I significance threshold value of 10 lbs/day for nitrogen oxides (NOx), particulate matter (PM10) and reactive organic gases (ROG).

As a result of this estimated threshold exceedence, this project must implement all applicable Standard Mitigation Measures and at least 6 Additional Mitigation Measures listed below. Other measures may be proposed as replacements by contacting Melissa Guise of the APCD's Planning Division at 781-4667.

Standard Measures (Include all standard mitigation measures marked below)

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
- Increase the building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, using efficient interior lighting, etc.).

Discretionary Measures (Include at least 6 of the following)

Site Design Mitigation for this Commercial Project

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.

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- Provide on-site banking (ATM) and postal services.
- Provide on-site child care facilities for employees.
- Provide on-site housing for employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signalization and signage to improve pedestrian safety.

Transportation Demand Mitigation

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc by implementing the Transportation Choices Program. The applicant should Contact SLO Regional Rideshare at 541-2277 to receive free consulting services on how to start and maintain a program.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.
- Install an electric vehicle charging station with both conductive and inductive charging capabilities.
- Employ or appoint an Employee Transportation Coordinator.
- Implement an APCD approved Trip Reduction Program.
- Provide for shuttle/mini bus service.
- Increase the quality of existing bicycle routes/lanes or add bicycle routes/lanes which access the project.
- Implement compressed work schedules.
- Implement a telecommuting program.
- Implement a lunch-time shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash pass" program, which provides free travel on transit buses.
- Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area.
- If the development is a large grocery store or large retail facility, provide home delivery service for customers.

Energy Efficiency Measures

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (e.g. sodium).

3-65

- Use energy efficient interior lighting.
- Use low energy traffic signals (e.g. light emitting diode).
- Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
- Install high efficiency or gas space heating.

Clean Vehicle Measures

- Replace diesel fleet vehicles with cleaner fueled low emission vehicles (e.g. school buses, transit buses, on and off road heavy duty vehicles, lighter duty trucks and passenger vehicles).
- Retrofit existing equipment to reduce emissions through methods such as catalyzed diesel particulate filters, diesel oxidation catalysts, or other approved technologies.

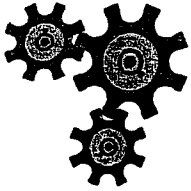
Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-4667.

MAG/sll

cc: Karen Brooks, Enforcement Division, APCD
Tim Fuhs, Enforcement Division, APCD
David Dixon, Engineering Division, APCD

Attachments: Naturally Occurring Asbestos - Exemption Request Form
District Rule 402 "Nuisance" Rule

Naturally Occurring Asbestos - Construction & Grading Project Form

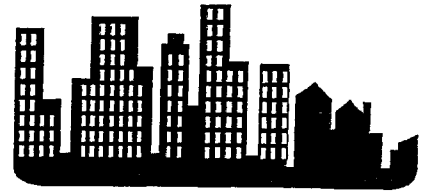


Send To:
San Luis Obispo County Air
Pollution Control District

3433 Roberto Court
San Luis Obispo, CA 93401

805-781-5912

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Applicant Information/Property Owner		Project Name	
Address		Project Address and/or Assessors Parcel Number	
City, State, Zip		City, State, Zip	
Phone Number	Date Submitted	Agent	Phone Number

Check Where Applicable	ITEM	APCD REQUIRED ELEMENT 1	APCD REQUIRED ELEMENT 2
	Project IS NOT Subject to NOA Requirements	Mapped Location Attached	
	Project IS Subject to NOA Requirements but NOT Disturbing NOA	Geological Evaluation Attached	Exemption Request Form Attached
	Project IS Subject to NOA Requirements and Project is Disturbing NOA - More than One Acre	Geological Evaluation Attached	Dust Control Measure Plan Attached
	Project IS Subject to NOA Requirements and Project is Disturbing NOA - One Acre or Less	Geological Evaluation Attached	Mini-Dust Control Measure Plan Attached

APPLICANT MUST SIGN BELOW

Legal Declaration/Authorized Signature:

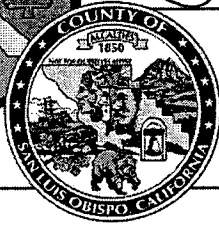
Date:

OFFICE USE ONLY - APCD Required Elements

Geological Evaluation		Exemption Request Form		Dust Control Measure Plan		Monitoring, Health & Safety Plan	
Approved		Approved		Approved		Approved	
Not Approved		Not Approved		Not Approved		Not Approved	
Comments:		Comments:		Comments:			
APCD Staff:		Intake Date:	Date Reviewed:	OIS Site #		OIS Proj. #	
REQUEST FOR INVOICE		Basic Fee:	Additional Fees:	Billable Hrs:		Total Fees:	

3-67

- A. A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
- B. The provisions of Rule 402.A shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.



3-68
JFL

CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

May 31, 2005

South County Team
County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # Tract 2724 - SUB2003-00216

Dear South County Team,

I have reviewed the referral for the parcel map plans for the proposed five parcel subdivision project located at 780 West Tefft Street, Nipomo, CA. This project is located approximately 5 to 10 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

○ Parcels less than 1 acres	800 feet
○ Parcels 1 acre to 4.99 acres	1320 feet
○ Parcels 5 acres to 19.99 acres	2640 feet
○ Parcels 20 acres or larger	5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.

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- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☒ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

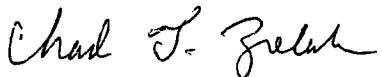
☐ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,



Chad T. Zrelak
Fire Captain

cc: Hill

NIPOMO COMMUNITY

BOARD MEMBERS

MICHAEL WINN, PRESIDENT
JUDITH WIRSING, DIRECTOR
ROBERT BLAIR, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
LARRY VIERHEILIG, DIRECTOR

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SERVICES DISTRICT

STAFF

DOUGLAS JONES, GENERAL MANAGER
LISA BOGNUA, ASSISTANT ADMINISTRATOR
DAN MIGLIAZZO, UTILITY SUPERVISOR
JON SEITZ, GENERAL COUNSEL

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Email address gm@nipomocsd.com

October 4, 2004

San Luis Obispo County
Government Center
Building and Planning Department
San Luis Obispo, CA 93401

Jesse L. B. Hill
1910 Grant Avenue
Arroyo Grande, CA 93420

SUBJECT: VERIFICATION OF WATER AND SEWER SERVICE CO 02-0251
10-UNIT DEVELOPMENT ON WEST TEFFT STREET, NIPOMO, CA


As required by Section 19.20.238 Title 19 of the San Luis Obispo County Code, the Nipomo Community Services District certifies that it will provide potable water service and sewer service to Parcel Map CO 02-0251 a 10-unit development on West Tefft Street in Nipomo, and that it has sufficient water resources and system capacity to provide such service. Notwithstanding any other language in this letter, the District certifies that (1) it will provide new service to the parcel(s) within the development on the same basis as it provides new service to any other legal parcel within the District's service area; and (2) once new service is established for a parcel(s) within the development, the District will provide service to said parcel on the same basis as it provides service to other customers within the same land use designation. All fees have been paid. Water meters(s) will be set after improvements are installed and accepted.

Notwithstanding to the above paragraph, notice is provided that Nipomo Community Services District has been made a party to that lawsuit entitled Santa Maria Valley Water Conservation District, et al. v. City of Santa Maria, et al., Santa Clara Superior Court Case No. CV 770214. The case involves competing claims to the right to produce water from and/or store water in the Santa Maria Valley Groundwater Basin, the water source from which Nipomo Community Services District derives the water, which it serves. The District is now unable to predict with any certainty the outcome of the above-referenced litigation. However, the litigation conceivably could result in a limitation on the availability of groundwater for the District's production and/or an increase in the cost of water, which the District serves to its water customers.

This "Will-Serve" letter shall be subject to the current and future rules, regulations, fees, resolutions and ordinances of the Nipomo Community Services District.

The San Luis Obispo Board of Supervisors has adopted Ordinance 2895, which establishes a 2.3% annual limit on new building permits for the Nipomo Mesa. The Nipomo Community Services District, by issuance of a Will-Serve letter, cannot guarantee that you will receive a project permit from the County of San Luis Obispo.

Very truly yours,
Nipomo Community Services District


Doug Jones
General Manager

RECEIVED

OCT 7 2004

SLO CO PLANNING & BLDG.

VALID ONLY
WITH DISTRICT
SEAL

3-71

DATE: December 15, 2005

**DEVELOPER'S STATEMENT FOR HILL TRACT MAP
ED04-170 (SUB2003-00216)**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Air Quality

APCD staff determined the operational impacts of this development through the use of the URBEMIS2002 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will likely exceed the APCD's CEQA Tier I significance threshold value of 10 lbs/day for nitrogen oxides (NO_x), particulate matter (PM₁₀) and reactive organic gases (ROG). Implementation of the proposed project would result in the generation of dust, potentially affecting local residents in close proximity to the project site. Dust complaints could result in violation of the APCD's nuisance rules, a potentially significant air quality impact. In addition, construction of the proposed project would contribute to the cumulative generation of PM₁₀ in the Nipomo area. Implementation of the proposed project may require the demolition and disposal of utilities or pipelines, or two existing residences, which may contain asbestos.

AQ-1 Based on the latest URBEMIS (air quality) modeling, the proposed project will generate between 10 - 24.99 lbs/day of one or more of the following pollutants: ROG, NO_x, SO₂, PM₁₀; the project will need to include the following Standard measures and at least 6 additional Discretionary mitigation measures and be shown on an Additional Map Sheet **prior to recordation of the final subdivision map** and on all applicable plans **prior to construction permit issuance**:

Standard Measures (Include all standard mitigation measures listed below)

- a. Provide on-site bicycle parking (one bicycle parking space for every ten car parking spaces); for the approximate ## spaces proposed, at least ## bicycle spaces shall be installed.
- b. Provide on-site eating, refrigeration and food vending facilities to reduce lunchtime trips;

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DEVELOPER'S STATEMENT
page 2

- c. Provide preferential carpool and vanpool parking;
- d. Provide shower and locker facilities to encourage employees to bike and/or walk to work (one shower and three lockers for every 25 employees);
- e. Increase building energy efficiency rating by 10% above what is required by Title 24 requirements (this can be accomplished in a number of ways (increasing attic, wall or floor insulation, etc.).

Discretionary Measures (Include at least 6 of the following)

Site Design Mitigation:

- a. Increase street tree planting above required minimum;
- b. Plant shade trees in parking lots to reduce evaporative emissions from parked vehicles;
- c. Provide on-site banking (ATM) and postal services;
- d. Provide an on-site child care facility;
- e. Provide on-site housing for employees;
- f. Implement on-site circulation design elements in parking lots to reduce vehicle travel and emphasize the pedestrian environment;
- g. Provide pedestrian signalization and signage to improve pedestrian safety;

Transportation Demand Mitigation:

- a. Employ or appoint an Employee Transportation Coordinator (to be used when at least two alternative travel modes requiring coordination are selected);
- b. Implement a Transportation Choices Program. The applicant will work with the Transportation Choices Coalition partners on how to start and maintain a program (contact SLO Regional Rideshare at 805/541-2277);
- c. Provide for shuttle/mini bus service;
- d. Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc.;
- e. Implement compressed work schedules;
- f. Implement telecommuting program;
- g. Implement a lunchtime shuttle to reduce single occupant vehicle trips;
- h. Participate in an employee "flash-pass" program, which provides free travel on transit buses;
- i. Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area;
- j. If the development is a grocery store or large retail facility, provide home delivery service for customers;

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DEVELOPER'S STATEMENT
page 3

Energy Efficiency Measures:

- a. Install shade trees planted closely along southern exposures of buildings to reduce summer cooling needs;
- b. Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs;
- c. Use built-in energy efficient appliances, where applicable;
- d. Use double-paned windows;
- e. Use low energy parking lot and street lights (i.e. sodium);
- f. Use energy efficient interior lighting;
- g. Install door sweeps and weather stripping if more efficient doors and windows are not available;
- h. Install high efficiency or gas space heating;

Clean Vehicle Measures:

- a. Replace diesel fleet vehicles with cleaner fueled low emission vehicles (i.e school buses, transit buses, on- and off- road heavy duty vehicles, lighter duty trucks and passenger vehicles);
- b. Retrofit existing equipment to reduce emissions using methods such as particulate filters, oxidation catalysts, or other approved technologies..

Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

Monitoring: Compliance will be verified by APCD in consultation with the Department of Planning and Building.

AQ-2 *Fugitive PM10 Mitigation Measures.* All required PM10 measures shall be shown on applicable grading or construction plans for tract improvements and on the Additional Map Sheet **prior to map recordation**, with a note to be included on subsequent construction plans **prior to issuance of construction permits**. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD **prior to permit issuance**.

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock-pile areas should be sprayed daily as needed;

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- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- e. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- f. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible, and
- g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.

Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

Monitoring: Compliance will be verified by APCD in consultation with the Department of Planning and Building.

AQ-3 *Demolition Activities.* Demolition activities can result in potentially negative air quality impacts, especially where material exists containing asbestos material. **Prior to issuance of any construction permit to remove or demolish any buildings or utility pipes on the subject property**, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.

Monitoring: Compliance will be verified by APCD in consultation with the Department of Planning and Building.

AQ-4 *Naturally Occurring Asbestos (NOA).* **Prior to map recordation, the following statement shall be included on an Additional Map Sheet and on the Grading Plan:** **Prior to any grading activities at the site**, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Tim Fuhs of our Enforcement Division at 781-5912.

Monitoring: All applicable mitigation measures will be shown on the grading and building plans. Compliance will be verified by APCD.

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AQ-5 *Developmental Burning* Effective February 25, 2000, the APCD prohibited **developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

AQ-6 *Construction Permit Requirements* **Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.** The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- a. Power screens, conveyors, diesel engines, and/or crushers;
- b. Portable generators (50 hp or greater);
- c. IC engines;
- d. Unconfined abrasive blasting operations;
- e. Concrete batch plants;
- f. Rock and pavement crushing;
- g. Tub grinders associated with tree removal; and
- h. Trommel screens.

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Noise

The project is not expected to generate loud noises, nor conflict with the surrounding uses. However, it is affected by noise from West Tefft Street, according to noise contour maps in the Noise Element of the General Plan. Noise contour maps in the element indicate that almost half of the site from West Tefft Street could be louder than 65 decibels, and almost half of the remainder could be louder than 60 decibels (Ldn). Office uses are the primary allowed use on the site, and they would be exposed to street-related noise levels that would exceed the acceptable exposure of 60 decibels in outdoor activity areas, and 45 decibels in interior spaces (Figure 3-1, Noise Element, Part I). Residential uses are allowable secondary to office or commercial development on this site, and potential residential development may be exposed to the same unacceptable levels of noise.

N-1 **Prior to map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall be provided with the following statement: At the time of**

application for construction permits for development, the applicant shall provide certification from an engineer qualified in noise analysis that a noise level of 45 dbA or less can be maintained inside the office and/or residence structure(s) with the windows and doors closed (when buildout levels of traffic on West Tefft Street are considered). In the event the acceptable noise level is not reached, additional measures shall be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved. The applicant shall provide to the county written verification by the acoustical expert that acceptable levels have been achieved.

- N-2 **Prior to map recordation the Additional Map Sheet and Conditions, Covenants and Restrictions shall be provided that state the following: At the time of application for construction permits for development**, the applicant shall provide certification from an engineer qualified in noise analysis that a noise level of 60 dbA or less can be maintained in the useable outdoor area (when buildout buildout levels of traffic on West Tefft Street are considered). Readings should be taken when noise source is loudest (e.g., during peak hours for West Tefft Street). In the event the acceptable noise level is not reached, additional measures shall be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved.

Monitoring: Compliance will be verified by the Department of Planning and Building and/or the County Public Works Department, in consultation with the Environmental Coordinator.

Water Supply

The project proposes to use Nipomo CSD as its water source. On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 1.8% growth limit, as depicted in the Growth Management Ordinance. A planning area standard will be enacted by which building permits will be required to include the full range of water conservation measures. Water demand associated with this area would be approximately three (3) AFY. Specific office uses such as medical offices could increase water use, and residential mixed use projects would be more consumptive. The individual impact of this amount of water use may not be significant; however, this project along with numerous others in the groundwater basin will have a cumulative impact on groundwater resources. Measures to conserve water and minimize water usage that are similar to those in amendments that the Board of Supervisors has authorized should be undertaken with individual projects.

- W-1 **Prior to final map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following statement: At the time of application for construction permits**, the applicant shall either submit a "toilet retrofit program" to be implemented **prior to project approval**, or submit evidence that they are participating in an existing toilet retrofit program within the groundwater basin where project water is being extracted. At a minimum, this development will need to identify the number of toilets to be installed and replace existing non-low-flow residential and commercial toilets at a 1:1 basis. This retrofit program shall be limited to existing

development over the Santa Maria Groundwater Basin. Should it be shown to the county that there are insufficient fixtures available for this replacement program, a supplemental water savings program (may not include existing ordinance requirements as basis for water savings) may be substituted that is comparable to the water savings from a toilet retrofit program. **Prior to occupancy or final inspection of new development**, it must be shown to the satisfaction of the county that the comparable retrofit (or other off-site water saving method) has been completed.

- W-2 **Prior to final map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following:** a Master Water Conservation Education Program for all future residents and commercial operators/employees. Such a program shall be developed by appropriate experts on interior and exterior water usage for each type of approved use (e.g., residential landscape watering section would consult a landscape architect or contractor familiar with the area's vegetation to provide: (1) guidelines for residents covering water conservation techniques; and (2) lists of ornamental drought-tolerant plants that would do well in the native soils, etc.). The program shall address all consumer-controlled water uses (e.g. landscaping, washing [e.g. dishes, clothes], showers, etc.). Once the program is developed, the applicant shall also include the means of which this information will be disseminated to all future occupants.
- W-3 **Prior to map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following statement:** Prior to permit issuance, project plans shall show that all water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water-using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water-efficiency design.
- W-4 **Prior to map recordation, the Additional Map Sheet and Conditions, Covenants and Restrictions shall include the following statement:** Prior to issuance of construction permits, a landscape plan shall indicate the following measures which shall be applied to any proposed turf areas:
- Turf areas shall be limited to five (5) percent of the pervious surface area of the site.
 - To maximize drought-tolerance and minimize water usage, warm season grasses (excludes bermuda grass) such as buffalo grass, shall be used;
 - For turf areas, a computerized irrigation controller shall be installed that can estimate cumulative evapo-transpiration losses to establish the most efficient and effective watering regimes.
 - To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, over-watering, excessive fertilization, soil compaction and accumulation of thatch;
 - Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently;

3-78

RECEIVED

DEC 20 2005

Planning & Bldg

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DEVELOPER'S STATEMENT
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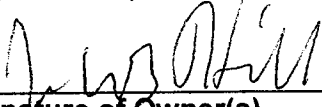
W-5 Prior to approval of tract improvements or construction plans, drainage improvement design, including the following measures, shall be considered to maximize potential groundwater basin recharge:

- a. drainage from impervious surfaces (e.g. roads, driveways, buildings) shall be directed to a common drainage basin;
- b. the project shall design as few basins as possible for the entire development;
- c. where feasible, mass grading and contouring shall be done in a way to direct surface runoff towards the above-referenced basins (and/or closed depressions).

W-6 Prior to recordation of the final map, the applicant shall show how the initial tract landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all pervious area, common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) landscaping shall not exceed 5 percent lawn surface of the site, with remaining landscaping being drought-tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.

Monitoring: Compliance will be verified by the Department of Planning and Building and/or the County Public Works Department, in consultation with the Environmental Coordinator.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.


Signature of Owner(s)

Jesse L.B. Hill
Name (Print)

12/17/05
Date